


From: Nicole Ducheneaux
To: Shea, Valois
Cc: Rogers, Patrick; NE Filing; Carol Cyriacks
Subject: Cheyenne River Sioux Tribe - Preliminary Comments on proposed UIC Program at Dewey-Burdock site
Date: Monday, June 19, 2017 4:45:03 PM
Attachments: 2017-06-19 Letter to Shea re Comments in Response to EPA Dewey-Burdock U...pdf

Dear Ms. Shea,

Oh behalf of the Cheyenne River Sioux Tribe, I have attached Preliminary Comments on the proposed UIC Program at the Dewey-Burdock site. A hard copy of the Tribe's comments have also been sent to you via Federal Express. You and Patrick Rogers will also receive the Tribe's request for consultation in a separate email.

Sincerely,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---


The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Nicole Ducheneaux
To: Robinson, Valois
Cc: NE Filing; Sarah Whitford
Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine
Date: Monday, July 17, 2017 1:52:58 PM

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: annotated EPA slide presentation for draft UIC Dewey-Burdock permits
Date: Friday, November 17, 2017 9:34:00 AM
Attachments: EPAUICDeweyBurdockforCheyenneRiverSiouxTribe.pdf

Hi Nicole,

I apologize for the delay in sending you these annotated slides.

I have three proposed dates for you to see if you and Chairman Frazier are free to do our informational web conference and go over these slides:

Mon, Nov 27, 10-11am

Wed, Nov 29, 10-11am

Fri, Dec 1, anytime during that day until 2:00pm

If these don't work, I can look for additional dates after these.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

**U.S. Environmental Protection Agency
Underground Injection Control Program**

***Draft Permits and Proposed Aquifer Exemption
at the Dewey-Burdock In-Situ Uranium Recovery
Site near Edgemont, South Dakota***

EPA Tribal Consultation Efforts to Date

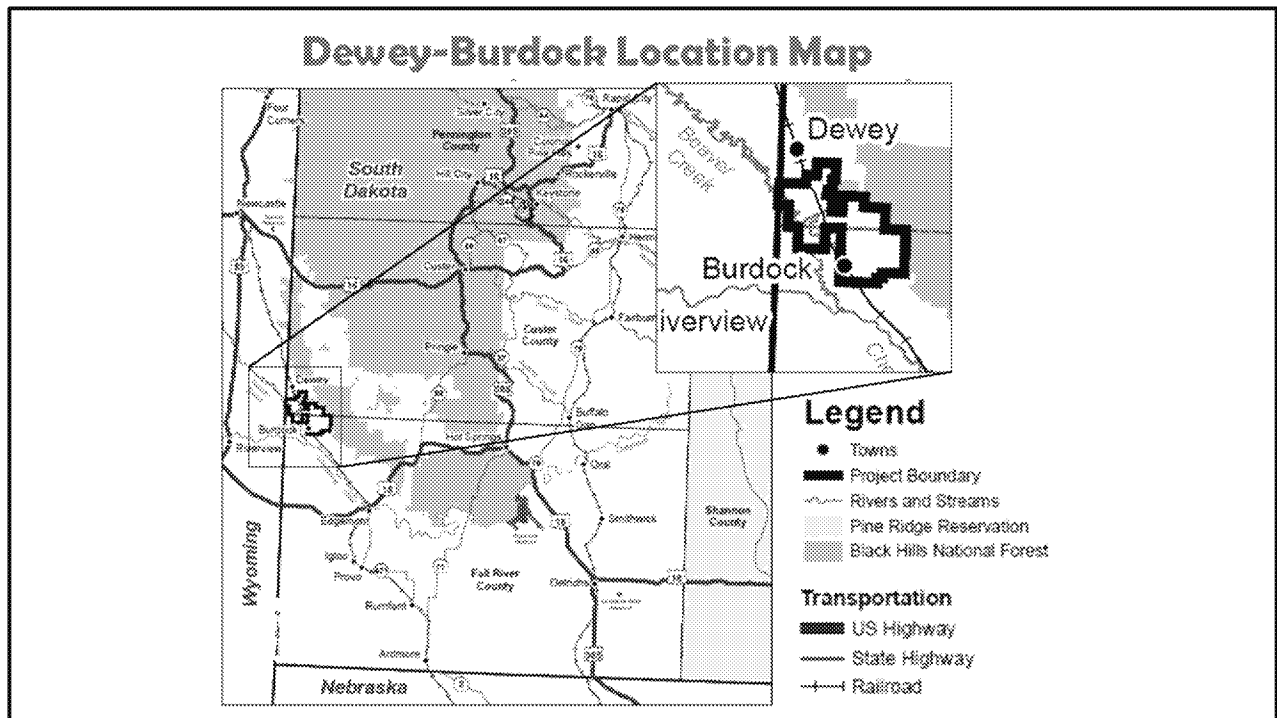
- The EPA mailed request for consultation letters to 38 tribes in EPA Regions 5, 6, 7 and 8.
- Eight tribes responded and requested consultation meetings.
- We held consultation meetings with seven of the eight tribes before the draft permits were issued; we were not able to schedule a meeting with the Cheyenne River Sioux Tribe.
- The main questions tribes were asking: how would the UIC permit conditions protect groundwater; we were not able to discuss permit conditions until the draft permits were issued.
- Now that the draft permits are issued the EPA would like to continue consultation and have more complete conversations about the protective permit requirements.

The Dewey-Burdock UIC Administrative Record

- The Region 8 UIC Program issued two draft area permits on March 6, 2017.
 - One draft permit is a Class III Area Permit for injection wells for the in-situ recovery (ISR) of uranium in Inyan Kara aquifers;
 - The second draft permit is a UIC Class V Area Permit for deep injection wells that will be used to dispose of ISR process waste fluids into the Minnelusa Formation after treatment to meet radioactive waste and hazardous waste standards.
- The EPA also proposed an aquifer exemption approval in connection with the Class III Area Permit to exempt the uranium-bearing portions of the Inyan Kara Group aquifers.
- The EPA also released for public review and comment:
 - a draft Cumulative Effects Analysis,
 - a draft Environmental Justice Analysis, and
 - a draft document explaining process and considerations for Tribal Consultation.
- The public comment period ran from March 6 through June 19, 2017.

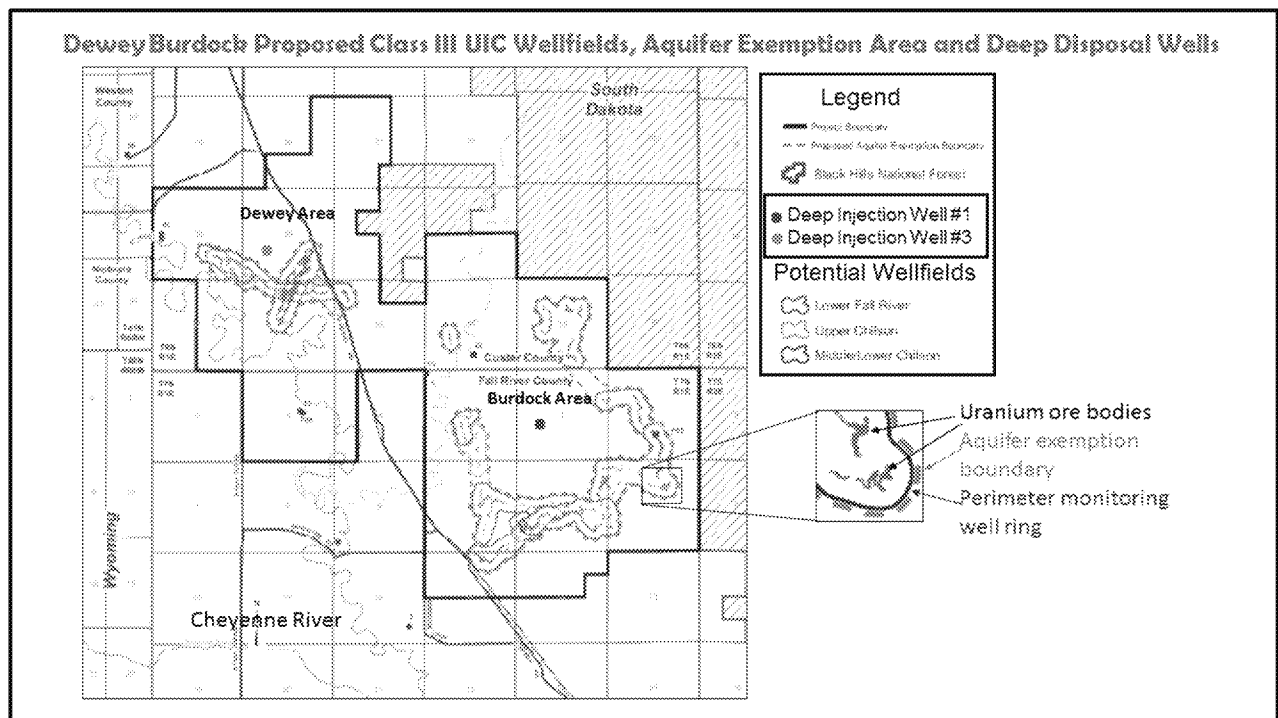
Background: The Underground Injection Control Program

- Authorized under the Safe Drinking Water Act
- Mission: to protect Underground Sources of Drinking Water by regulating injection activity and injection wells.
- An “Underground Source of Drinking Water” (USDW) is defined by regulation as an aquifer (or portion)
 - Which supplies any public water system; or
 - Which contains a sufficient quantity of ground water to supply a public water system; and
 - Currently supplies drinking water for human consumption; or
 - Contains fewer than 10,000 mg/l total dissolved solids.
- Classifies injection wells under 6 classes based on type of injectate, purpose for injection activity and depth of injection.
 - Class III – injection for in-situ recovery (ISR) of uranium
 - Class V – disposal of treated ISR waste fluids into an aquifer stratigraphically above a USDW.
- May exempt a portion of a USDW from protection under the program based on certain criteria, including if the aquifer contains economically viable hydrocarbon or mineral resources.



The Dewey-Burdock site is located in the SW corner of Custer County and the NW corner of Fall River County on the Wyoming/South Dakota border in the southern Black Hills region. The site is about 45 miles west of the Pine Ridge Reservation. The project area boundary is shown by the heavy black line, which is also shown in the enlarged area.

The proposed Dewey-Burdock Project Area lies within the Beaver Creek watershed, which includes Beaver Creek, Pass Creek, and their tributaries. Beaver Creek is a perennial stream, and its tributaries have ephemeral flow depending on the amount of precipitation. Pass Creek and its tributaries are dry for most of the year, except for short periods of high runoff following major storms. Beaver Creek is a tributary to the Cheyenne River and joins the Cheyenne River approximately 1.4 miles south of the project boundary upstream from Edgemont, South Dakota. Potential impacts to the Cheyenne River are discussed in the draft Cumulative Effects Analysis document.



This map shows:

The project boundary (heavy black line)

The Black Hills National Forest land

The Dewey Area & Burdock areas

4 proposed wellfields in the Dewey Area

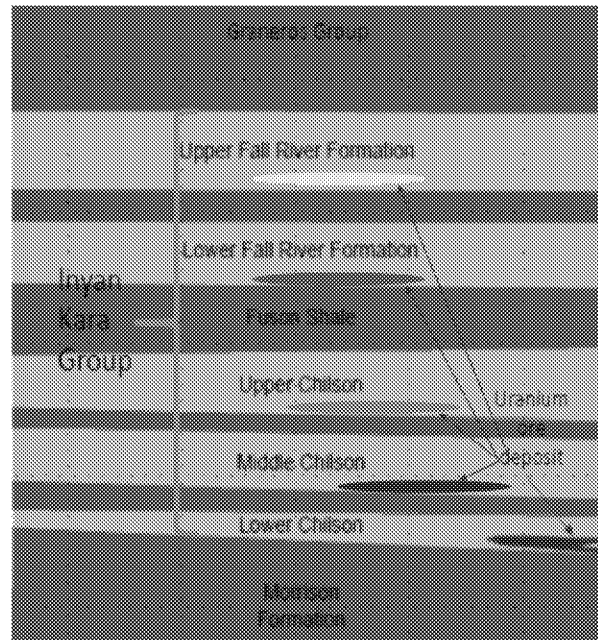
10 proposed wellfields in the Burdock Area

The Beaver Creek drainage tributaries that flow through the site to the Cheyenne River.

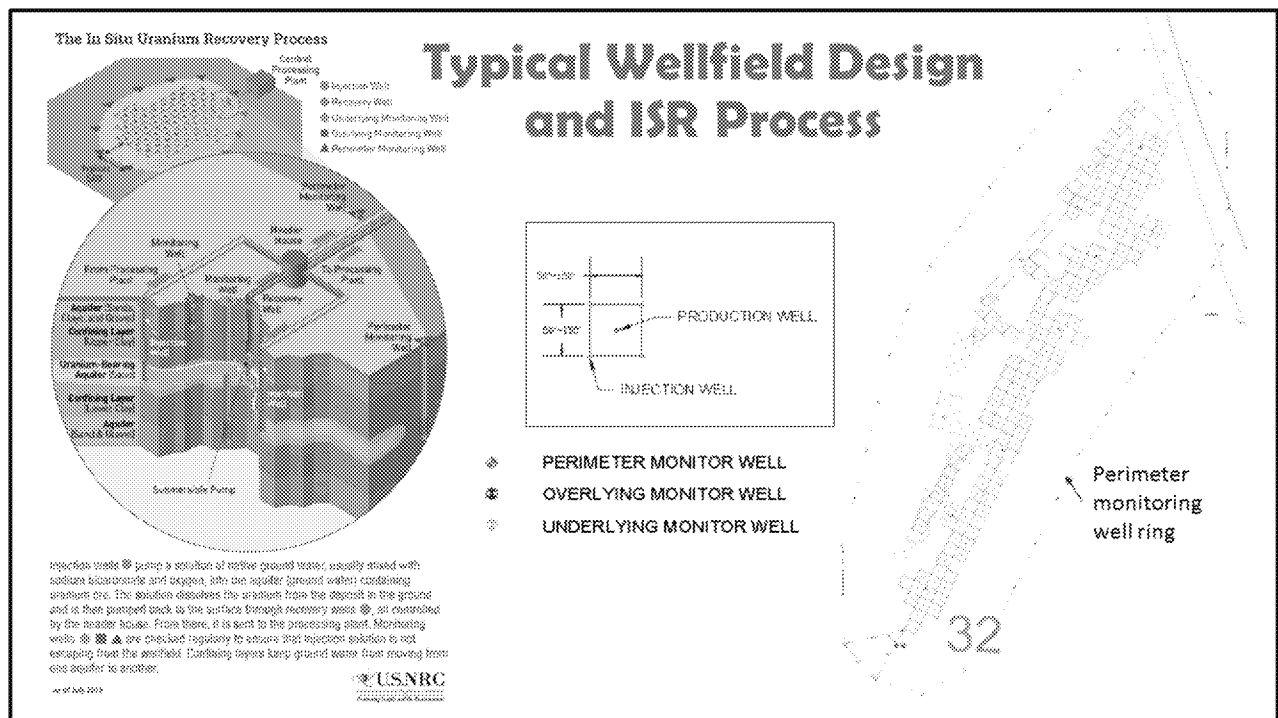
The enlarged square shows the location of the uranium ore deposits, the perimeter monitoring well ring and the aquifer exemption boundary 120 feet outside of perimeter monitoring well ring.

The wellfield colors represent the Inyan Kara aquifer targeted for uranium extraction (see next slide).

Cross Section through the Inyan Kara Group Showing Uranium Ore Locations



Uranium ore bodies occur in all the aquifers within the Inyan Kara Group. The colors of the ore bodies correspond to the sandstone unit where the ore body occurs. Powertech does not plan to extract uranium from any Upper Fall River Formation ore bodies.



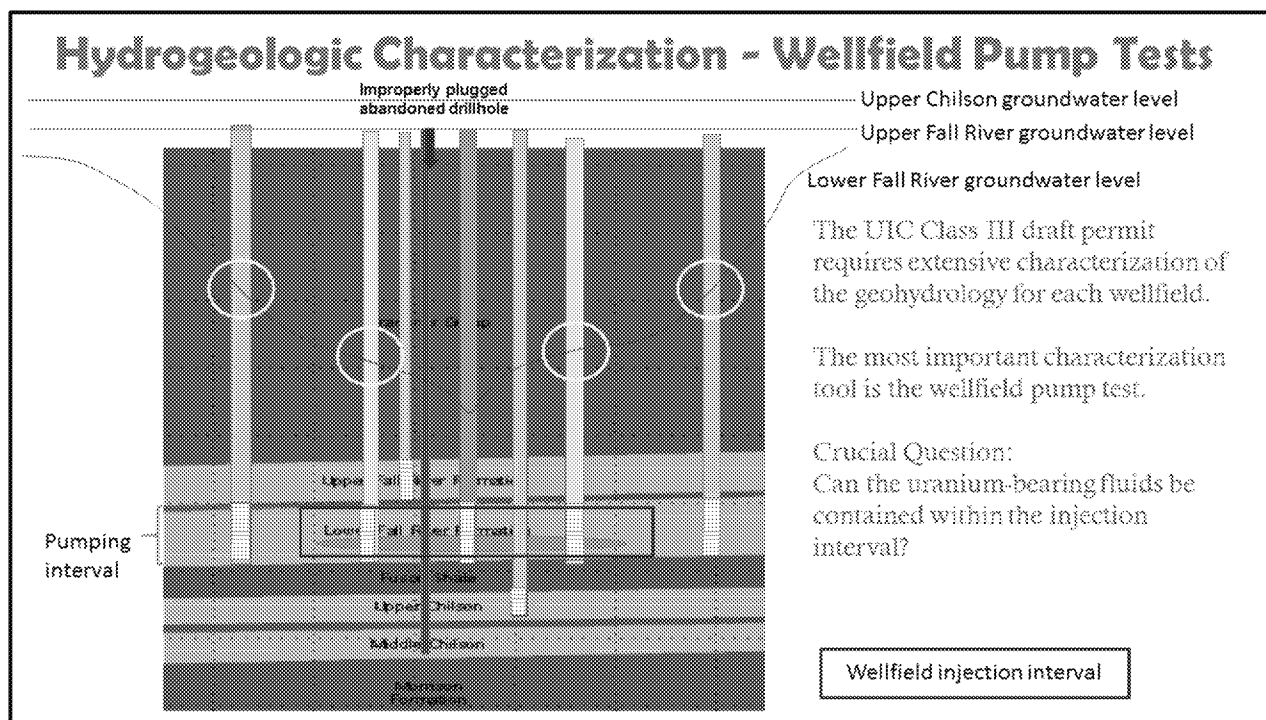
Overview of the in-situ recovery process:

- 1) Lixiviant, composed of groundwater from the Inyan Kara aquifers with oxygen and carbon dioxide added to extract and mobilize uranium within the aquifer, is injected through the injection wells shown in blue in the circle cross section above and as blue dots at the corners of the well pattern grid.
- 2) The lixiviant extracts the uranium from the ore deposit and flows to the production well (shown in orange), where it flows to the processing plant for uranium removal.
- 3) After uranium removal, the barren lixiviant is pumped back to the wellfield.
- 4) Oxygen and carbon dioxide are added to the lixiviant at the header house before the lixiviant is injected back into the wellfield.

Important Class III Draft Permit Requirements

- The Class III UIC draft permit requires extensive groundwater and geologic characterization before injection would be authorized into a wellfield.
- Most important question: can injected fluids be contained vertically and horizontally within the injection zone so that no ISR contaminants move outside of the aquifer exemption boundary into the USDW?
- Protective monitoring requirements:
 - Additional excursion monitoring for an expanding plume.
 - Post-Restoration groundwater monitoring
- Groundwater remediation is required for contaminants moving outside the injection zone.

The EPA heard concerns about impacts to groundwater during tribal consultation and while reviewing public comments and testimony submitted to the Nuclear Regulatory Commission. The EPA considered these concerns when crafting the Class III draft permit conditions for wellfield groundwater and geologic characterization (preventive measures), monitoring for contaminants and groundwater remediation as needed. The goal of these requirements is to prevent contaminant migration beyond the injection zone and to detect and remediate any contaminants moving outside the injection zone and ultimately the aquifer exemption boundary.



The most important characterization tool is the wellfield pump test.

Wellfield pump test layout: Note the locations of the pink pumping well, the yellow production wells, and the green monitoring wells.

The green perimeter monitoring wells are screened in the injection zone aquifer (the Lower Fall River in this case). Additional green monitoring wells are located in the aquifers overlying and underlying the injection zone.

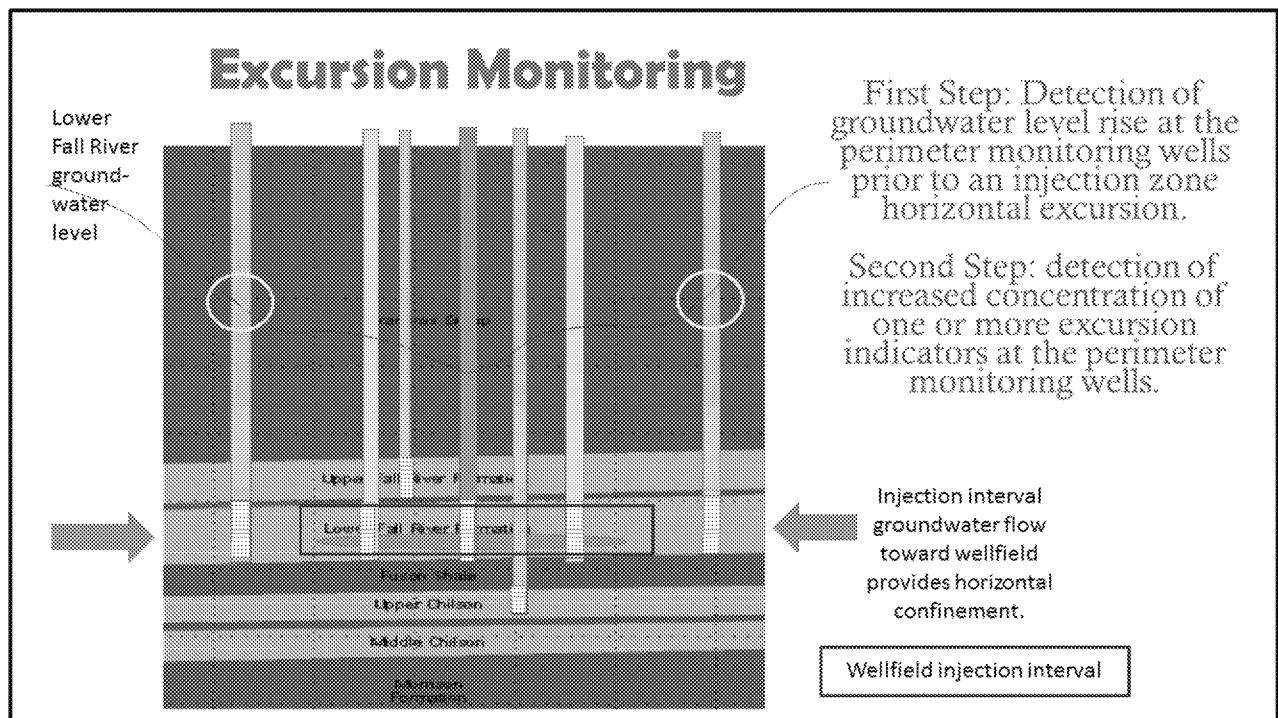
Wellfield pump test procedure: the pink well, with its screen in the injection zone aquifer, is pumped, which should cause the groundwater surface in the Lower Fall River aquifer to be drawn down in a “cone of depression” (see the red line representing the Lower Fall River groundwater surface elevation). This cone of depression should be observed by lowering the groundwater level in the production wells and the perimeter monitoring wells (shown within the yellow circles).

Ideally, there would be no change aquifer groundwater surface elevation in the overlying and underlying aquifer monitoring wells. A change in groundwater level in these aquifers would indicate the presence of a breach in the confining zones, possibly caused by an improperly plugged historic exploration drillhole (shown in dark green). The pump test data must demonstrate vertical confinement to prevent vertical movement of fluids out of the injection zone so that no overlying and underlying aquifers are impacted by ISR contaminants. This condition is demonstrated by

groundwater levels in the overlying and underlying aquifers remaining steady during the pump test.

The data must also demonstrate that it is possible to contain injection zone fluids horizontally to prevent contaminant migration into the USDW outside of the aquifer exemption boundary. This condition is demonstrated by the cone of depression in the injection zone groundwater level observed in the production and perimeter monitoring wells during the pump test.

Any improperly plugged historic exploration boreholes should be detected during the wellfield pump tests and properly replugged to prevent migration of injection fluids through the confining zones.



Excursion monitoring consists of measuring injection zone groundwater levels in the perimeter monitoring wells to demonstrate the cone of depression is being maintained. If a rise in water level is measured (in the area of the yellow circles), that is the first step in detecting an incipient excursion. When a groundwater level rise is detected in the perimeter monitoring wells, the permittee will change the injection and pumping balance to regain the cone of depression before the excursion occurs..

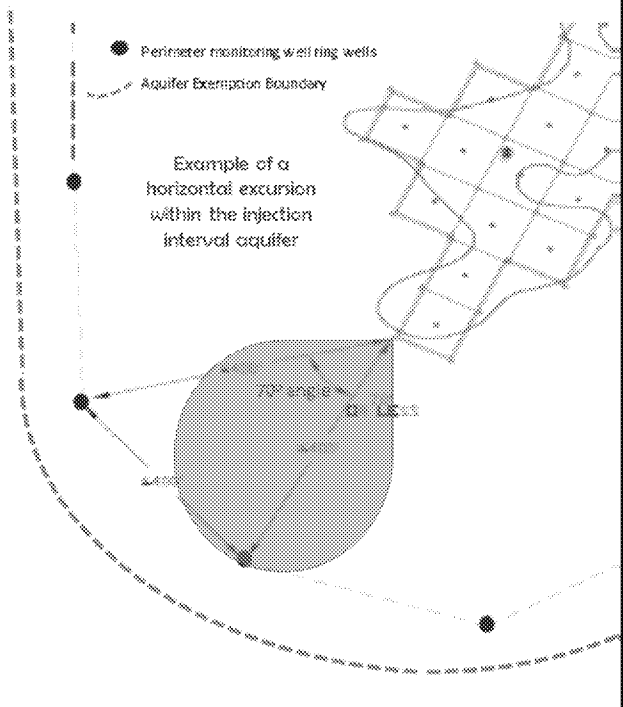
An increase in the concentrations of one or more excursion indicators (chloride, alkalinity, conductivity) at a perimeter monitoring well indicates an incipient excursion has occurred. These three indicators travel faster through groundwater than the ISR contaminants with drinking water standards, so they are early indicators that allow the excursion to be corrected before it crosses the aquifer exemption boundary and becomes a violation of the UIC Class III permit.

Excursion Monitoring

When the excursion indicators move out of the wellfield injection interval area and are detected at a perimeter monitoring well, the event is called an “excursion.”

If an excursion is detected at a perimeter monitoring well, the monitoring frequency of the impacted well is increased to every week until the excursion plume is removed. This is standard industry practice.

The Class III permit requires that the wells impacted by the excursion and the monitoring wells nearest impacted monitoring wells are also sampled every week in order to determine early that an excursion plume may be expanding.

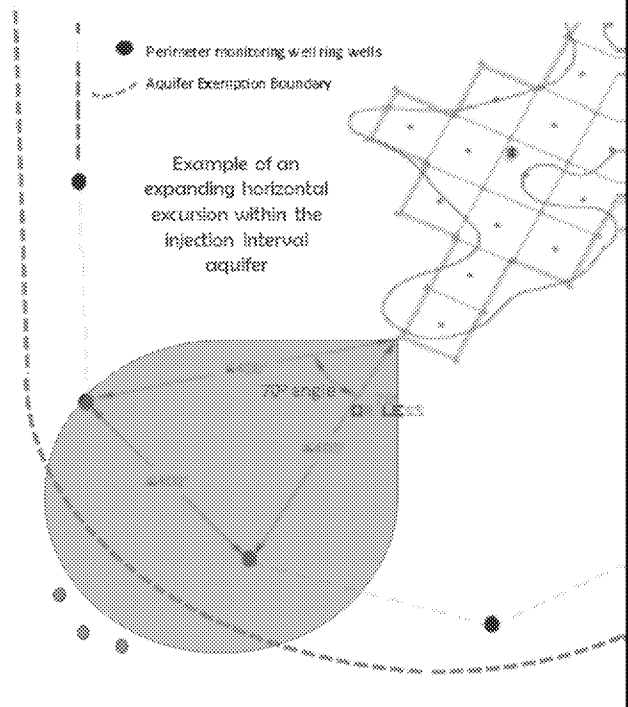


Excursion Monitoring

If an “expanding” excursion plume is detected, then the Class III draft area permit requires the permittee to install downgradient monitoring wells to determine if the excursion has crossed the aquifer exemption boundary.

- additional monitoring wells downgradient of the excursion plume leading edge where groundwater has not been impacted by excursion indicators

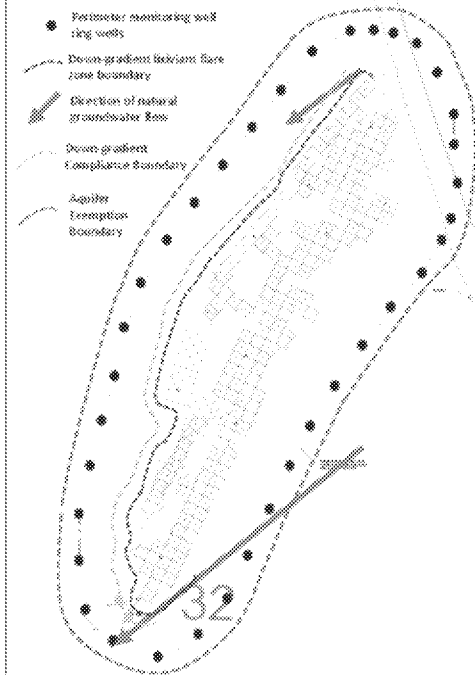
If ISR contaminants cross the aquifer exemption boundary into the USDW, that is a violation of the Class III permit and the permittee would be required to conduct aquifer remediation of the USDW.



These additional monitoring requirements for expanding excursion plumes were added to the Class III permit to address concerns the EPA heard about ISR contaminants migrating off the site during excursions.

Post-restoration Monitoring

1. Post-restoration monitoring plan includes establishing a down-gradient compliance boundary.
2. Groundwater baseline constituent concentrations are used as the permit limits for determining that no ISR contaminants cross the aquifer exemption boundary.
3. After the Nuclear Regulatory Commission approves wellfield groundwater restoration under the NRC license, the EPA UIC Class III permit requires Powertech to demonstrate that no ISR contaminants cross the down-gradient compliance boundary.
4. If ISR contaminants are detected at the down-gradient compliance boundary, the Permittee must establish a new boundary and perform remediation.
5. It is a permit violation if ISR contaminants cross the aquifer exemption boundary and groundwater remediation is required.



These additional monitoring requirements for post-restoration monitoring were added to the Class III permit to address concerns the EPA heard about ISR contaminants migrating off the site after wellfield restoration has been completed.

The Proposed Aquifer Exemption

Because the injection zone is a USDW, an Aquifer Exemption is required to inject into the Class III wells for uranium recovery.

An Aquifer Exemption is allowed under UIC regulations IF the USDW:

1. Does not currently serve as a source of drinking water and
2. Is mineral producing or can be demonstrated to contain commercially producible minerals.

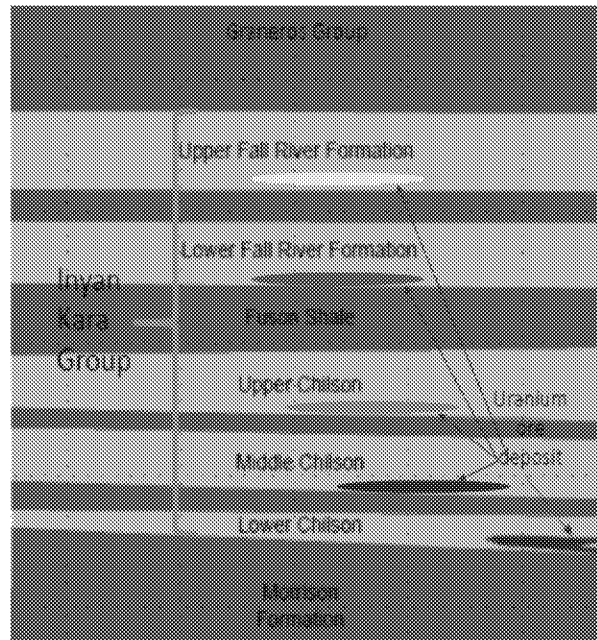
Typical Wellfield and Horizontal Extent of the Aquifer Exemption Boundary

— Aquifer Exemption Boundary



The aquifer exemption boundary has a horizontal extent related to the location of the wellfield perimeter monitoring well ring. At the Dewey-Burdock site, the AE boundary is 120 feet from the perimeter monitoring well ring based on site specific geohydrologic measurements and the area needed to conduct ISR activities and groundwater restoration at each wellfield and not have any ISR contaminants cross the AE boundary using best available technology and ISR operating practices. In approving the location of the AE boundary, the EPA balances having the exempted area as small as possible while ensuring there is a large enough area around the wellfield as a buffer zone to ensure the USDW outside the AE boundary can be protected using best available technology and ISR operating practices.

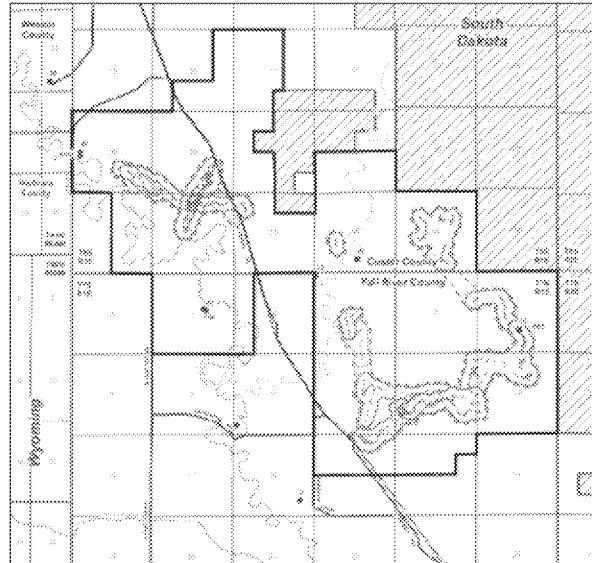
Uranium Ore Locations & Vertical Extent of the Aquifer Exemption Boundary

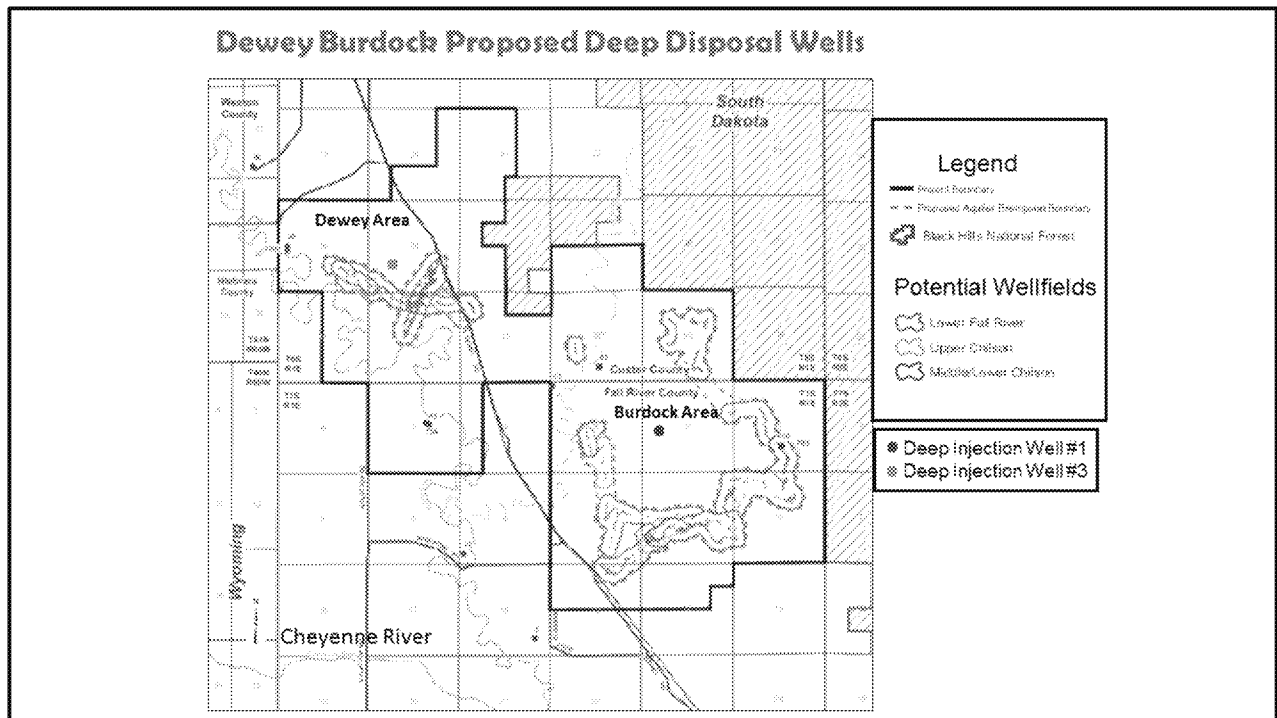


The aquifer exemption boundary also has a vertical extent, which includes all the aquifers within the Inyan Kara Group.

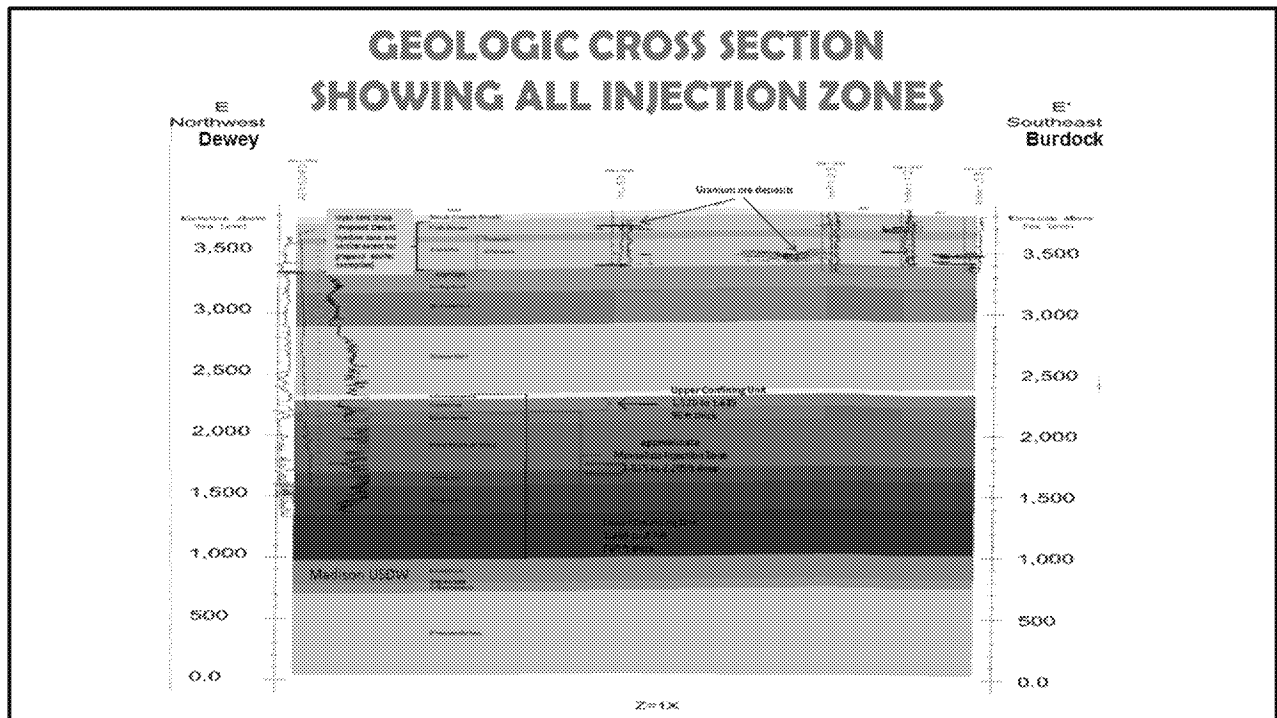
Inyan Kara Water Quality within Aquifer Exemption Area

- Inyan Kara groundwater has to be treated before drinking to remove sulfate, manganese and iron.
- The Inyan Kara wells located within a uranium ore deposits also have high levels of gross alpha, radium and radon.
- Radioactive decay of uranium eventually results in radium, which quickly decays to radon and a series of daughter elements emitting alpha radiation.
- After groundwater restoration is complete, the groundwater within the exemption area can still be used **with the same level of treatment** as before ISR operations.



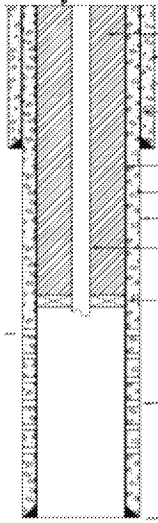


At this time, Powertech proposes to construct two deep disposal wells injecting into the Minnelusa Formation; one deep well in the Dewey area and one deep well in the Burdock area. The well locations are shown on this map.



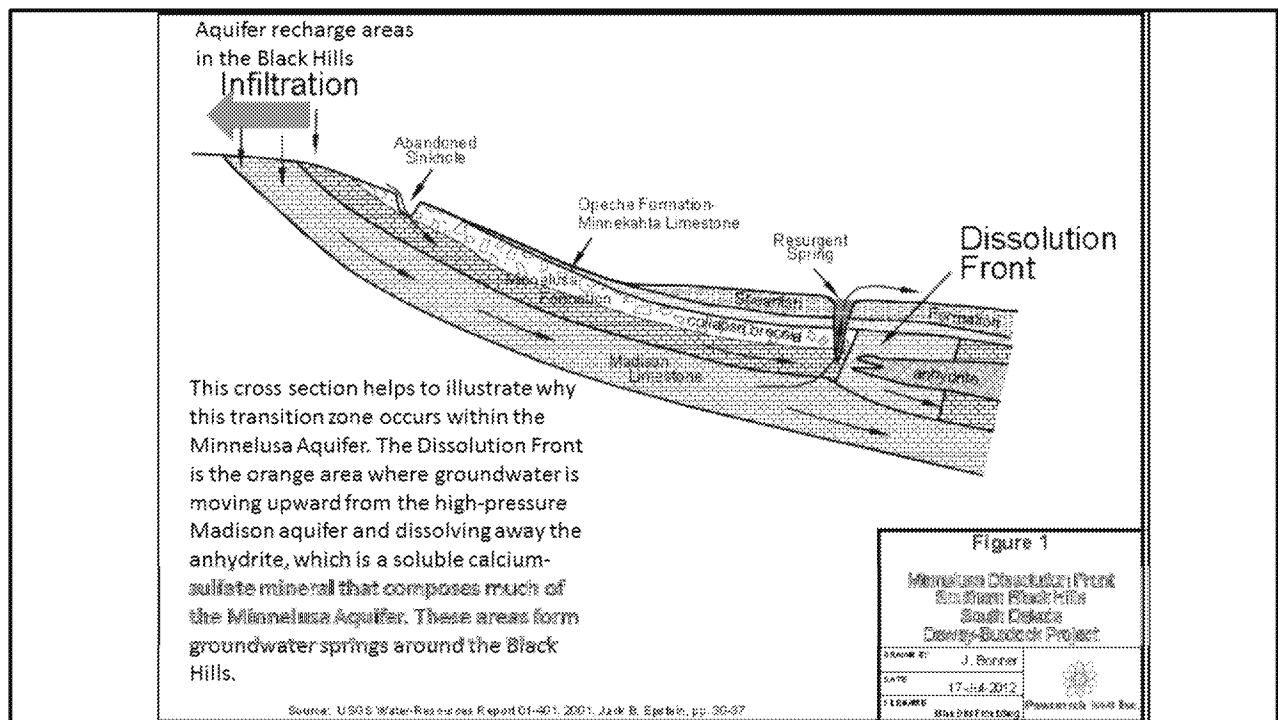
This stratigraphic cross section of the geologic formations present at the Dewey Burdock Site shows the proposed injection zones in the Inyan Kara (green layer near the top) and in the Minnelusa (the blue layers in the middle). Note the thick confining zone (dark blue layer) between the base of the Minnelusa injection zone and the Madison USDW. This confining zone will isolate the Class V deep well injectate from the Madison Formation aquifer. Class V draft permit requirements will provide data to confirm this isolation between the two aquifers.

Fluid between
the injection
tubing and well
casing

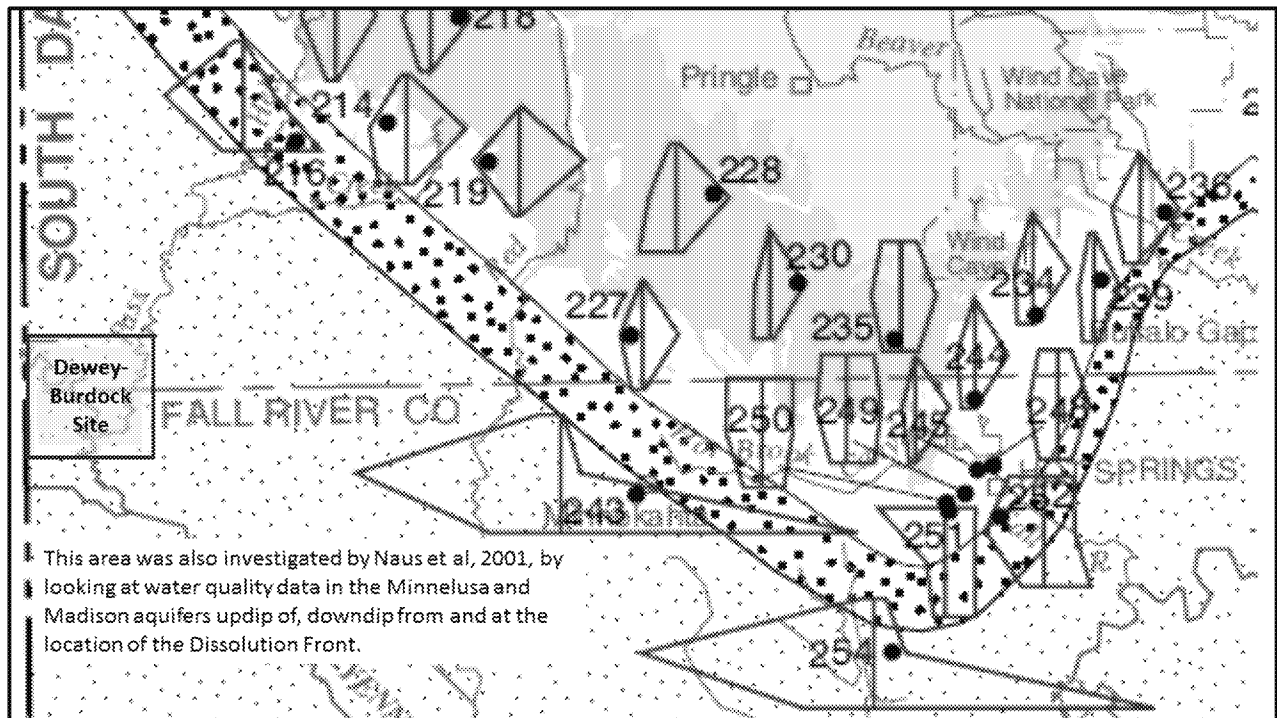


Class V Draft Area Permit Requirements

- Testing of the Minnelusa aquifer to confirm it is not a USDW at the location of the deep injection wells. (The Class III permit does not authorize injection into a USDW at the site.)
- Class I (the most protective) well construction standards.
- Extensive characterization of hydrogeology before the EPA will issue authorization to inject (more characterization than the EPA usually requires in deep well permits).
- Continuous monitoring of pressure on the fluid between the injection tubing and well casing for early detection of any injection tubing leaks.
- In addition, treatment of the injectate to meet radioactive waste standards set in the NRC regulations (treatment using barium chloride to precipitate radium from the waste fluids in settling ponds).
- Treatment to meet hazardous waste standards (arsenic, barium, cadmium, lead, mercury, selenium and silver).



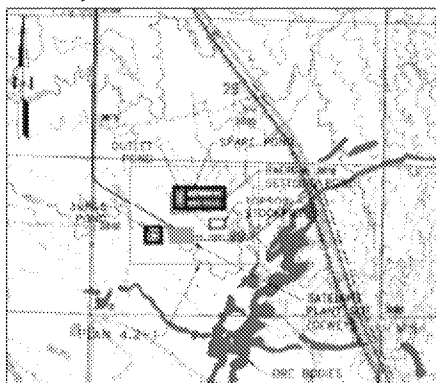
This cross section helps to illustrate why this transition zone occurs within the Minnelusa Aquifer. The Dissolution Front is the orange area where groundwater is moving upward from the high-pressure Madison aquifer and dissolving away the anhydrite, which is a soluble calcium-sulfate mineral that composes much of the Minnelusa Aquifer. The presence of anhydrite causes the Minnelusa Aquifer groundwater to be high in sulfate, which results in total dissolved solids (TDS) above 10,000 mg/L. North of the Dissolution Front the high pressure Madison aquifer has pushed through the Minnelusa Formation and dissolved away most of the anhydrite. In this area the Minnelusa Aquifer is a USDW and contains private wells. The fact that the high-sulfate groundwater is not currently migrating north of the Dissolution Zone demonstrates the treated waste fluids entering the Minnelusa through the deep injection wells will not travel to the private wells completed in the Minnelusa aquifer. As shown in the cross section, the geologic strata are dipping away from the Black Hills. The high TDS Minnelusa groundwater (and the deep well injectate) would have to travel up dip (up hill) several miles to cross the Dissolution Front in the Minnelusa aquifer into the USDW portion of the USDW.



Another USGS publication has studied this Dissolution Front (the band with the larger-sized spots) and characterized the Minnelusa and Madison aquifer groundwater north and south of this transition zone. This groundwater characterization information has been incorporated into the Class V draft permit to further confirm the integrity of the confining zones above and below the Minnelusa injection zone in the Dewey-Burdock area.

Treatment and Storage Ponds for Deep Well Injectate

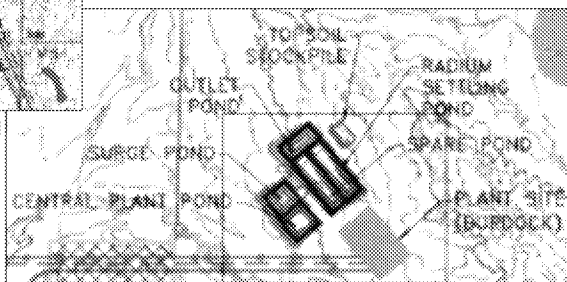
Dewey Site



The Burdock Area central plant pond will store brine from the reverse osmosis treatment process used during groundwater restoration before the brine is treated in the radium settling ponds.

Waste fluids from the uranium recovery process will be treated in the radium settling ponds. After radium removal, the treated water will be stored in the outlet ponds and surge ponds. There will also be a spare radium treatment pond for backup. After treatment, the water will flow to the deep injection wells.

Burdock Site



Based on information from other ISR sites, the only radioactive constituent expected to be in the injectate in concentrations above the radioactive waste standards is radium. Powertech plans to construct treatment ponds to remove radium from the ISR waste fluids before disposal into the deep injection wells. Radium is removed by mixing barium chloride with the waste fluids, which forms an insoluble barium-radium compound which settles out as a solid on the bottom of the treatment pond. This is an effective radium treatment method used in drinking water treatment, too. Both the Class III and Class V draft permits require the Powertech to submit information to the Region 8 Air Program for the EPA to determine the applicability of the 40 CFR Part 61 Subpart W regulations, and if necessary, receive construction approval from the EPA, before the Director will issue written Authorization to Commence Injection for either the Class III or Class V injection wells

Of the eight RCRA-regulated metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver), three (arsenic, lead and selenium) have the potential to occur in the deep well injectate, because they may occur in very small quantities in the uranium ore deposits. Barium is used for radium treatment. However, the concentrations of these metals are expected to be below the hazardous waste limits. Therefore, Powertech has not proposed a treatment process to decrease RCRA-

regulated metal concentrations in the injectate at this time. The Class V permit requires Powertech to analyze the injectate for all the RCRA-regulated metals. If any of the metals occurs above the hazardous waste limit, Powertech will be required to treat the injectate to decrease the concentration of that metal below the hazardous waste limit.

Intent of EPA UIC Permit Requirements

In summary, these extensive permit requirements take into account that:

1. The Dewey-Burdock Project Site is located in the southern Black Hills region, an area of sacred and historic interest to a number of tribal nations where protection of groundwater is important,
2. There are private drinking water wells completed in the injection zone aquifers downgradient of the ISR wellfields,
3. The deep well injection zone is located just above the Madison Formation, which is a prolific aquifer in western South Dakota and serves as the source for public drinking water systems.

Additional Documents in the Administrative Record

- The EPA also released for public review and comment:
 - a draft Cumulative Effects Analysis,
 - a draft Environmental Justice Analysis, and
 - a draft document explaining process and considerations for Tribal Consultation.

Cumulative Effects Analysis

Areas where the EPA Evaluated Impacts Potentially Resulting from the Drilling and Operation of Injection Wells Authorized under UIC Area Permit

40 CFR §144.33 - the UIC Area permit regulation:

- Allows more than one injection well under the permit.
- The cumulative effects of drilling and operation of additional injection wells are considered by the Director during evaluation of the area permit application and are acceptable to the Director.

Impact Areas Investigated
Impacts to USDWs (water quality and quantity)
Impacts to surface water and wetlands
Impacts from spills and leaks
Impacts to land use
Impacts to soils
Impacts to geology
Potential radiological impacts and effluent control systems
Impacts to Air Quality – <i>distance of measurable impacts identified</i>
Climate change impacts
Transportation impacts
Impacts from Potential Accidents
Impacts to Ecological Resources
Impacts from Waste Management

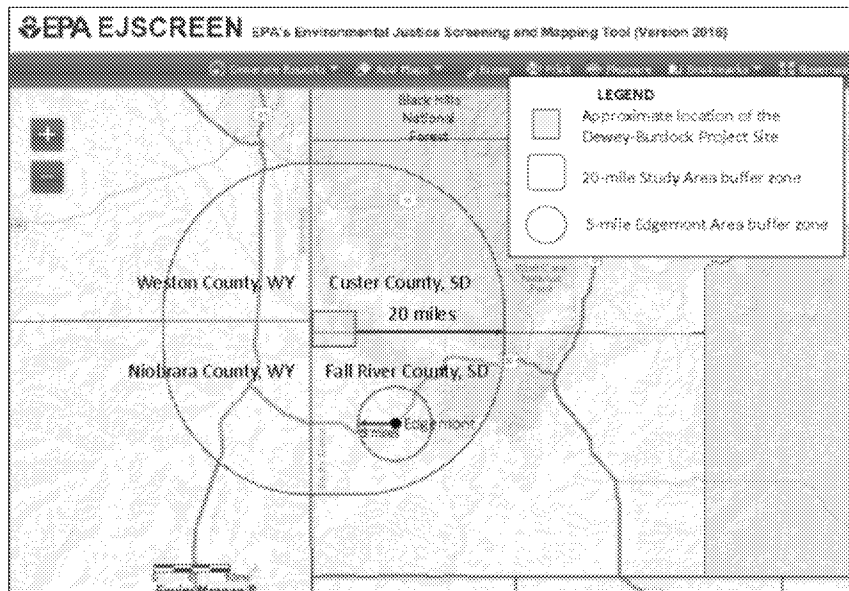
The EPA issued a draft Cumulative Effects Analysis (CEA) document for review and comment as required under the UIC Area Permit regulation. This slide lists the areas of impacts discussed in the document. The scope of this cumulative effect analysis takes into account the impact from the drilling and operation of injection wells.

Conclusions from the draft CEA include:

- The EPA UIC permit requirements for pre-ISR characterization of wellfield geohydrology, post-restoration monitoring and aquifer remediation, as needed, should result in no impacts to USDWs outside the aquifer exemption boundary.
- The EPA UIC permit requirements for pre-ISR characterization of wellfield geohydrology, post-restoration monitoring, aquifer remediation, as needed, surface water monitoring requirements under the NRC license and SD large scale mine permit, and SD surface water and stormwater permit requirements should result in no impacts to surface water beyond the project site boundary.
- The remediation and reclamation requirements under NRC license and SD large scale mine permit should result in no long-term impacts to the site after the ISR process and restoration/reclamation has been completed.
- The distance of measurable impacts to air along a southeast corridor from the site caused by the direction of prevailing winds was used to determine the size of the

study area for the draft Environmental Justice analysis.

Environmental Justice Analysis



The EJ study area is based on the farthest measurable impact anticipated as discussed in section 10 of the Cumulative Effects Analysis. The distance of 20 miles corresponds to distance measurable air impacts will occur along a southeastern corridor because of the prevailing wind direction. However, a radius of 20 miles from the site boundary in all directions was used for the EJ study area boundary. In addition, a study area including 5 miles around the Town of Edgemont was evaluated.

Important sections of the draft EJ analysis document include:

7.0 Impacts to Historic and Cultural Resources

8.0 Tribal Consultation

9.0 Enhanced Public Participation and Outreach Activities

10.0 EJ Considerations in the Development of Permit Requirements

The EPA recognizes the special interest of tribes because of the Dewey-Burdock location near the southern Black Hills region.

The EPA engaged in tribal consultation before issuance of the draft UIC permits to get input from tribal leadership.

The EPA engaged in enhanced public participation during the public comment period to get input from tribal members.

We would like to hear about EJ concerns during Tribal consultation.

Tribal Consultation Efforts Moving Forward

NHPA Section 106 consultation:

- One important issue is a survey of traditional cultural properties at the site.
- The EPA acknowledges that tribes possess special expertise in assessing historic properties that possess religious and cultural significance.
- The EPA intends to work with tribes, the NRC and other consulting parties to address the NHPA Section 106 requirements.
- Topics for discussion include:
 - Exploring options for the TCP survey (for example, bringing back the first statement of work developed by the Tribes for further discussion),
 - Identification of potential impacts to identified cultural resources,
 - Identification of mitigative measures to avoid impacts or minimize impacts, and
 - Exploring potential changes tribes would like to see in the NRC Programmatic Agreement.

Tribal Consultation Efforts Moving Forward

The EPA seeks to continue meeting with interested tribes to consult regarding issues identified by tribes.

These topics have been identified by the Cheyenne River Sioux Tribe in the June 19, 2017 letter from Chairman Frazier:

- Treaty rights
- Trust responsibilities to preserve trust resources:
 - Reserved water rights
 - Hunting and fishing rights
 - Historic, spiritual and cultural resources
- Religious freedom issues.

Tribal Consultation Efforts Moving Forward

Next Steps...

1. Discuss the issues identified by Chairman Frazier in the consultation and comment letters sent to the EPA.
2. Identify any additional issues to discuss during consultation.

From: Nicole Ducheneaux
To: Robinson, Valois
Subject: Automatic reply: Web conference Cheyenne River Sioux Tribe/EPA - Dewey-Burdock Administrative Record - so you have the link and call in number handy
Date: Monday, October 16, 2017 9:39:34 AM

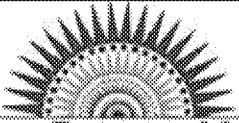
I am out of the office until Monday, October 23, 2017. Please call 402-333-4053 and ask for my assistant, Carol Cyriacks (ccyriacks@ndnlaw.com), if you need immediate assistance.
Thank You.

From: Nicole Ducheneaux
To: Robinson, Valois; Rogers, Patrick
Cc: NE Filing; Carol Cyriacks
Subject: Cheyenne River Sioux Tribe - Request for Government-to-Government Consultation regarding Dewey-Burdock Uranium Mine
Date: Monday, June 19, 2017 4:52:49 PM
Attachments: 2017-06-19 Letter to Shea, Rogers regarding Tribal Consultation.pdf

Dear Ms. Shea and Mr. Rogers,

On behalf of the Cheyenne River Sioux Tribe, I have attached a letter requesting government-to-government consultation with the EPA regarding the proposed UIC Program at the Dewey-Burdock site. A hard copy of this same letter has been sent to you via Federal Express. You and Patrick Rogers will also receive the Tribe's preliminary comments in a separate email.

Sincerely,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: Dec 1 availability window changed to 1-2 pm
Date: Friday, November 17, 2017 9:43:00 AM

Hi Nicole,

Right after I sent the email to you, I found out that Friday, Dec 1 is no longer open all day till 2:00.

Now the time slot is from 1:00-2:00pm

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: follow-up to Monday's web conference
Date: Monday, October 23, 2017 4:29:00 PM

Hi Nicole,

I spoke with Dave Nelson and Steve Vance last Monday. They requested that I work with you to reschedule another web conference that Chairman Frazier and you could both attend. They suggested this week or Nov 1 or 2. November 1 works best for the folks on our end. Would sometime that day work for you and Chairman Frazier, too?

They also asked me to provide my PowerPoint presentation with notes to you and Chairman Frazier. I will send the annotated PowerPoint to you later this week.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Robinson, Valois
To: "Nicole Ducheneaux"
Subject: New Tribal Consultation letter from EPA to Chairman Frazier
Date: Wednesday, August 7, 2019 3:42:00 PM
Attachments: CheyenneRiverSiouxTribe.pdf

Hi Nicole,

Attached is a letter I mailed to Chairman Frazier on July 8. We are getting ready to issue updated draft permits and an updated Environmental Justice analysis. As stated in the letter, we are interested in getting input from the Cheyenne River Sioux Tribe leaders on environmental justice issues and treaty rights, in addition to changes in the draft permit conditions.

Are you still the contact for the Cheyenne River Sioux tribe for me to work with to schedule a consultation meeting?

Thanks!

Valois

Valois Robinson
U.S. EPA Region 8
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: robinson.valois@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

July 8, 2019

Ref: 8WD-SDU

Honorable Harold Frazier
Chairman
Cheyenne River Sioux Tribe
PO Box 590
Eagle Butte, South Dakota 57625-0590

Re: U.S. Environmental Protection Agency Underground Injection Control Program
Invitation for Consultation on revised Draft Permits and related actions for the Dewey-Burdock Uranium Recovery Site near Edgemont, South Dakota

Dear Chairman Frazier:

The U.S. Environmental Protection Agency Region 8 Underground Injection Control (UIC) Program would like to consult with you, and any other representatives you would like to invite, on revised Draft Permits for injection wells and an updated draft Environmental Justice Analysis for the proposed Dewey-Burdock uranium in-situ recovery (ISR) site near Edgemont, South Dakota. The EPA anticipates issuing the revised Draft Permits in August 2019.

In March 2017, the EPA UIC Program issued two Draft Permits for Powertech (USA) Inc.: one for Class III injection wells used during the uranium recovery process; the second for deep injection wells for the disposal of treated ISR process waste water. The EPA also issued a draft Environmental Justice Analysis at that time. After considering comments received during the public comment period, the EPA has decided to issue revised Draft Permits, a revised draft Environmental Justice Analysis, a revised Aquifer Exemption Record of Decision and an updated document describing the EPA's plan for compliance with section 106 of the National Historic Preservation Act.

The location of the Dewey-Burdock site is shown in the enclosed Figure 1. For additional information about the proposed Dewey-Burdock site, please see the enclosed page entitled *Background Information on the Proposed Dewey-Burdock Uranium In-Situ Recovery Site* and enclosed Figures 1 through 5.

Environmental Justice Analysis

During consultation, we plan to present information about the revised draft Environmental Justice Analysis, specifically related to the The Cheyenne River Sioux Tribe's interest in the Black Hills as a sacred site. We would also welcome any input the Tribe would be willing to offer to assist the EPA in presenting an accurate picture of environmental justice issues related to the Black Hills.

The EPA Tribal Consultation Policy

It is the EPA's policy to consult on a government-to-government basis with federally recognized tribal governments when EPA actions and decisions may affect tribal interests. The EPA views consultation as a process of meaningful communication and coordination between the EPA and tribal officials prior to the EPA taking actions or implementing decisions that may affect tribes. For information about the EPA *Policy on Consultation and Coordination with Indian Tribes* please visit the following website: <https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes>.

The EPA also developed the *Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights* (Treaty Rights guidance) to complement the EPA's general *Policy on Consultation and Coordination with Indian Tribes*. The Treaty Rights guidance provides affirmative steps for the Agency to take during tribal consultations when an EPA action occurs in a specific geographic location and a resource-based treaty right, or an environmental condition necessary to support the resource, may be affected by the EPA's action. The Treaty Rights guidance was developed after nationwide tribal consultation. This guidance document is found at the following website: https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes#treaty_rights.

Consistent with the Treaty Rights guidance, the EPA would also like input from the The Cheyenne River Sioux Tribe on treaty rights related to our revised draft permitting actions. The EPA acknowledges that some tribes have previously provided written public comment stating their position that treaty rights would be impacted by the Draft Permits. Nevertheless, pursuant to the Treaty Rights guidance, the EPA seeks input on the following questions:

- (1) Do treaties exist within the project area?
- (2) What treaty rights exist in or what treaty-protected resources rely upon the project area? Among other things, have treaty-based groundwater rights in the project area been recognized by judicial decree or congressional settlement?
- (3) How are treaty rights potentially affected by the revised Draft Permits?
- (4) Any concerns you have related to treaty rights.

The EPA has a separate responsibility under section 106 of the National Historic Preservation Act (NHPA) to consult with tribes that attach religious and cultural significance to historic properties that may be affected by an undertaking. Accordingly, we invite the The Cheyenne River Sioux Tribe to engage in government-to-government consultation under section 106. Wherever appropriate, the EPA attempts to integrate this section 106 consultation with general consultation under our Tribal Consultation Policy. Therefore, we propose the following potential topics for consultation:

- (1) Changes from the first Draft UIC permits to the second Draft UIC permits;
- (2) Any concerns you may have about the proposed Dewey-Burdock project and the UIC permitting actions; and
- (3) Potential historic properties, including those of traditional religious and cultural importance, within the Dewey-Burdock area of potential effect.

We understand that the The Cheyenne River Sioux Tribe may raise issues in consultation that should be kept confidential and nonpublic. During our consultation process, if there is information that you would like to provide, but that you believe should remain confidential, please specifically identify this information during our consultation meeting and we will explore options for keeping the information confidential in accordance with 36 CFR § 800.11(c). As we move forward with the consultation process,


please be aware that any information you provide to the EPA in writing will become a part of the public record unless other arrangements are made to maintain confidentiality.

We are requesting a reply from you as to whether the The Cheyenne River Sioux Tribe wishes to consult with the EPA. If you are interested in meeting with the EPA, please reply by August 2, 2019. Consultation requests should be submitted to Valois Robinson of my staff, who can be reached at (800) 227-8917, extension 312-6276 or (303) 312-6276; or by email at robinson.valois@epa.gov. Please include a point of contact for the Tribe so we can keep you informed as the EPA moves forward with this consultation process.

If we do not hear from you by August 2, 2019, we will interpret this to mean that you do not wish to consult with the EPA at this time. The EPA would also welcome the opportunity to consult after the revised Draft Permits are issued to discuss these important issues.

We appreciate the The Cheyenne River Sioux Tribe's prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darcy O'Connor', with a long horizontal flourish extending to the right.

Darcy O'Connor, Director
Water Division

Enclosures (6)

cc: David Nelson, Tribal Environmental Director
Steven Vance, Tribal Historic Preservation Officer
Nicole Ducheneaux, Fredericks, Peebles & Patterson LLP

Background Information on the Proposed Dewey-Burdock Uranium In-Situ Recovery Site

The Dewey-Burdock site is located north of Edgemont, South Dakota, in Fall River and Custer Counties as shown in the enclosed Figure 1. The EPA Region 8 UIC Program has received Class III and Class V injection well permit applications for this site from Powertech (USA) Inc. The Class III injection wells are related to uranium recovery; the Class V injection wells are deep wells for the disposal of treated process wastewater. The Class III permit application requests authorization for 14 injection well fields including approximately 2,330 wells to inject and recover fluids for the in-situ recovery of uranium. The Class V area permit application requests authorization for the injection of ISR process waste fluids (treated to meet radioactive and hazardous waste standards) into two proposed wells injecting into the Minnelusa Formation. The Class V area permit application requests authorization for up to four deep injection wells in case the two currently proposed wells do not have the capacity to dispose of the anticipated total volume of all ISR process waste fluids.

Powertech proposes using ponds to treat and store treated water that will be injected into the deep injection wells. The locations and configuration of the treatment ponds are shown in Figure 2. These ponds are not regulated under the UIC Program. Powertech will submit an application for review and approval of the pond construction design plan to the EPA Region 8 Air Program. The ponds will not allow infiltration into the subsurface. The ponds are not designed to be evaporation ponds, although some amount of evaporation will occur during storage of the treated water before it is injected into the deep injection wells. The evaporation process does not involve release of heavy metals, including uranium or other radioactive elements, into the air. The EPA has information about radiation at <http://www2.epa.gov/radiation>.

The total proposed project area consists of approximately 10,580 acres (4,282 ha) east and west of the Dewey Road (County Road 6463), including portions of Sections 1-5, 10-12, 14 and 15 in Township 7 South, Range 1 East and Sections 20, 21, 27, 28, 29, and 30-35 in Township 6 South, Range 1 East, Black Hills Meridian. The surface area that will actually be impacted by the uranium ore processing plants, the 14 proposed uranium in-situ recovery well fields, the two proposed deep injection wells, treatment and storage ponds, roads and other surface-disturbing facilities is less than the 10,580-acre project area. The enclosed Figure 1 is a map showing the project site location. Figure 3 is a map showing the locations of the proposed wellfields containing Class III injection wells and the site project boundary. Figure 4 shows the locations for the two proposed deep Class V injection wells. Figure 5 shows a stratigraphic cross section of geologic formations at the Dewey Burdock site and the proposed injection zones for both the Class III and Class V injection wells. The Powertech Dewey-Burdock Project Class III and Class V area permit applications, and other documents that are part of the permit administrative record, are available for public review on the EPA Region 8 UIC Program website at <https://www.epa.gov/uic/epa-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-permits>.

Dewey Burdock Location Map

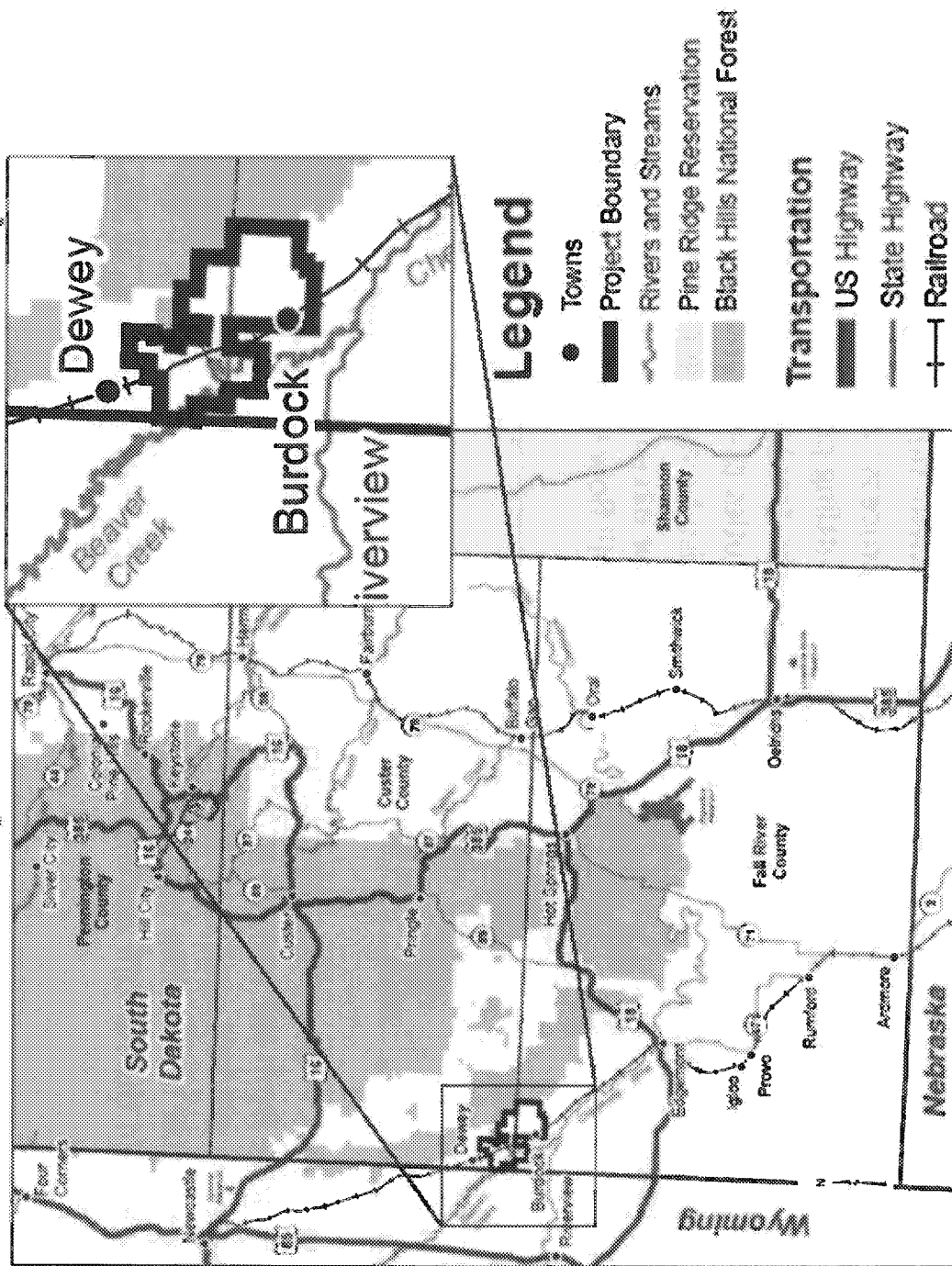
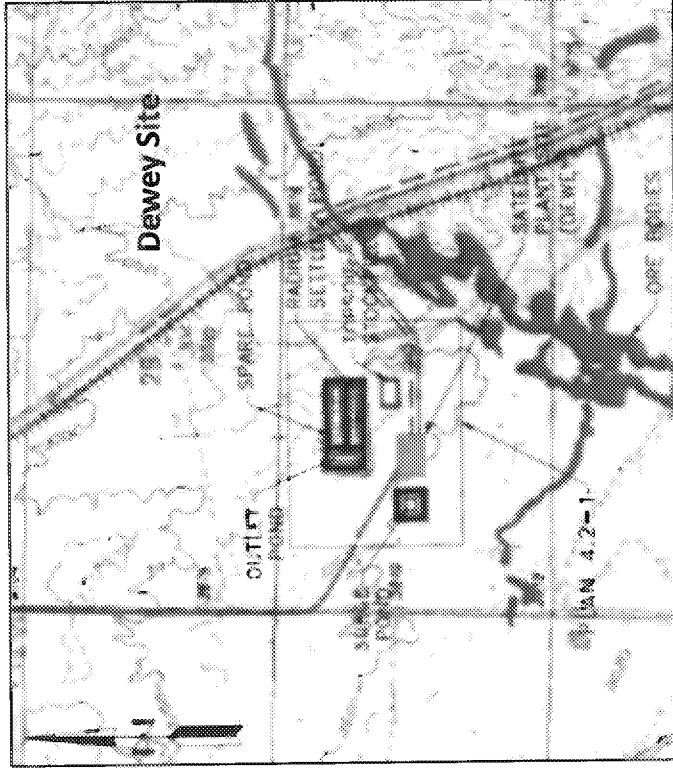


Figure 1. Map showing the location of the proposed Dewey-Burdock uranium recovery site.

Treatment and Storage Ponds for Deep Well Injectate



The Burdock Area central plant pond will store brine from the reverse osmosis treatment process used during groundwater restoration before the brine is treated in the radium settling ponds.

Waste fluids from the uranium recovery process will be treated in the radium settling ponds. After radium removal, the treated water will be stored in the outlet ponds and surge ponds. There will also be a spare radium treatment pond for backup. After treatment, the water will flow to the deep injection wells.

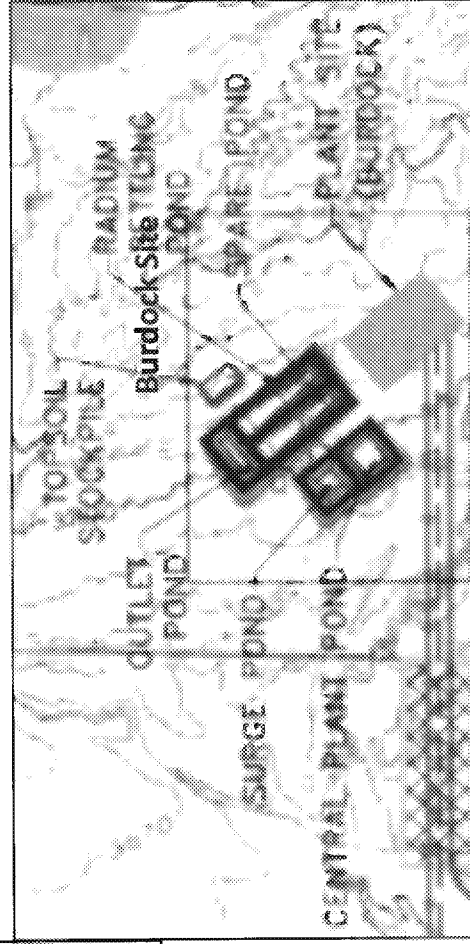


Figure 2. The Proposed Ponds for the Treatment and Storage of the Deep Injection Well Injectate.

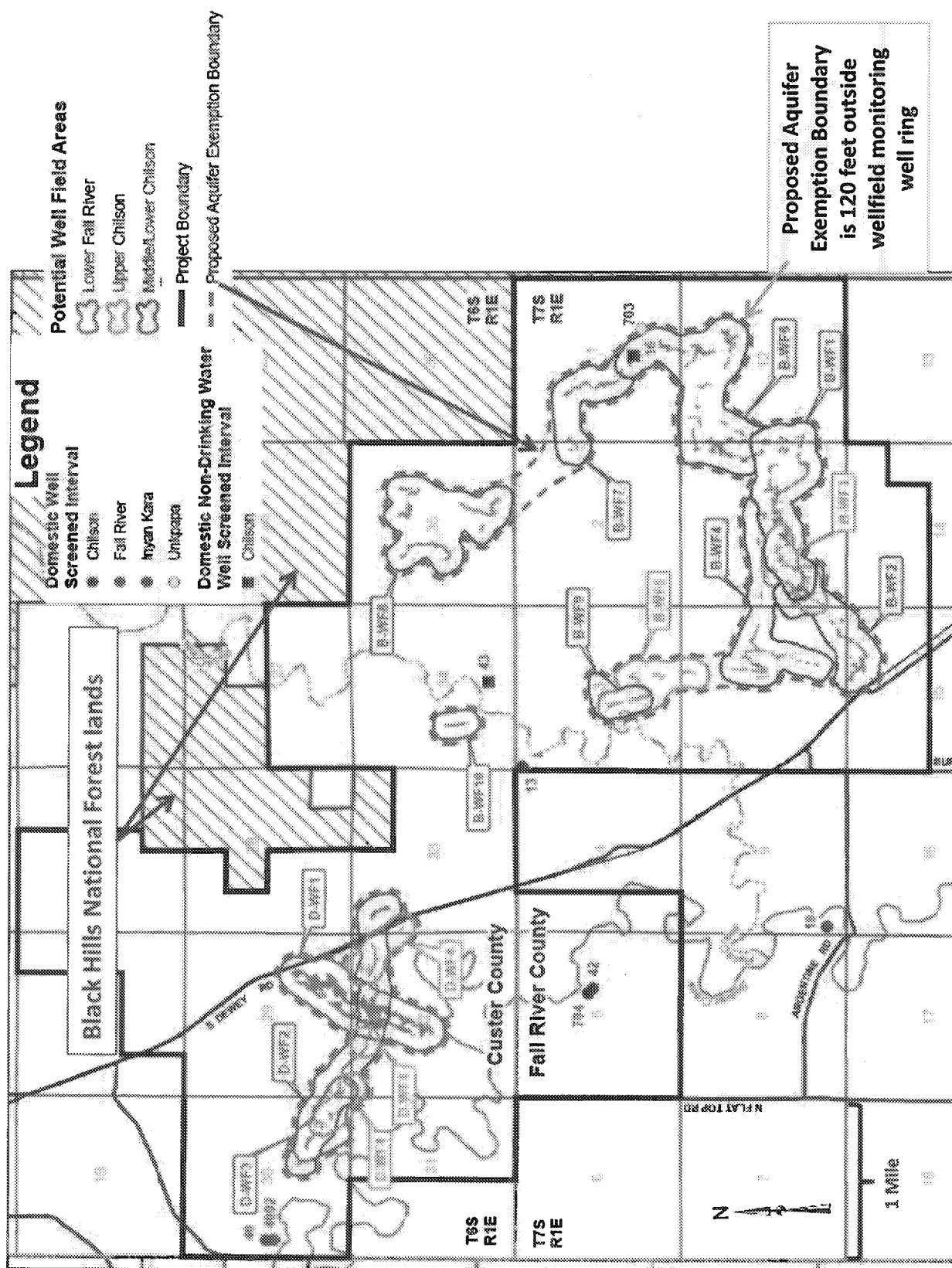
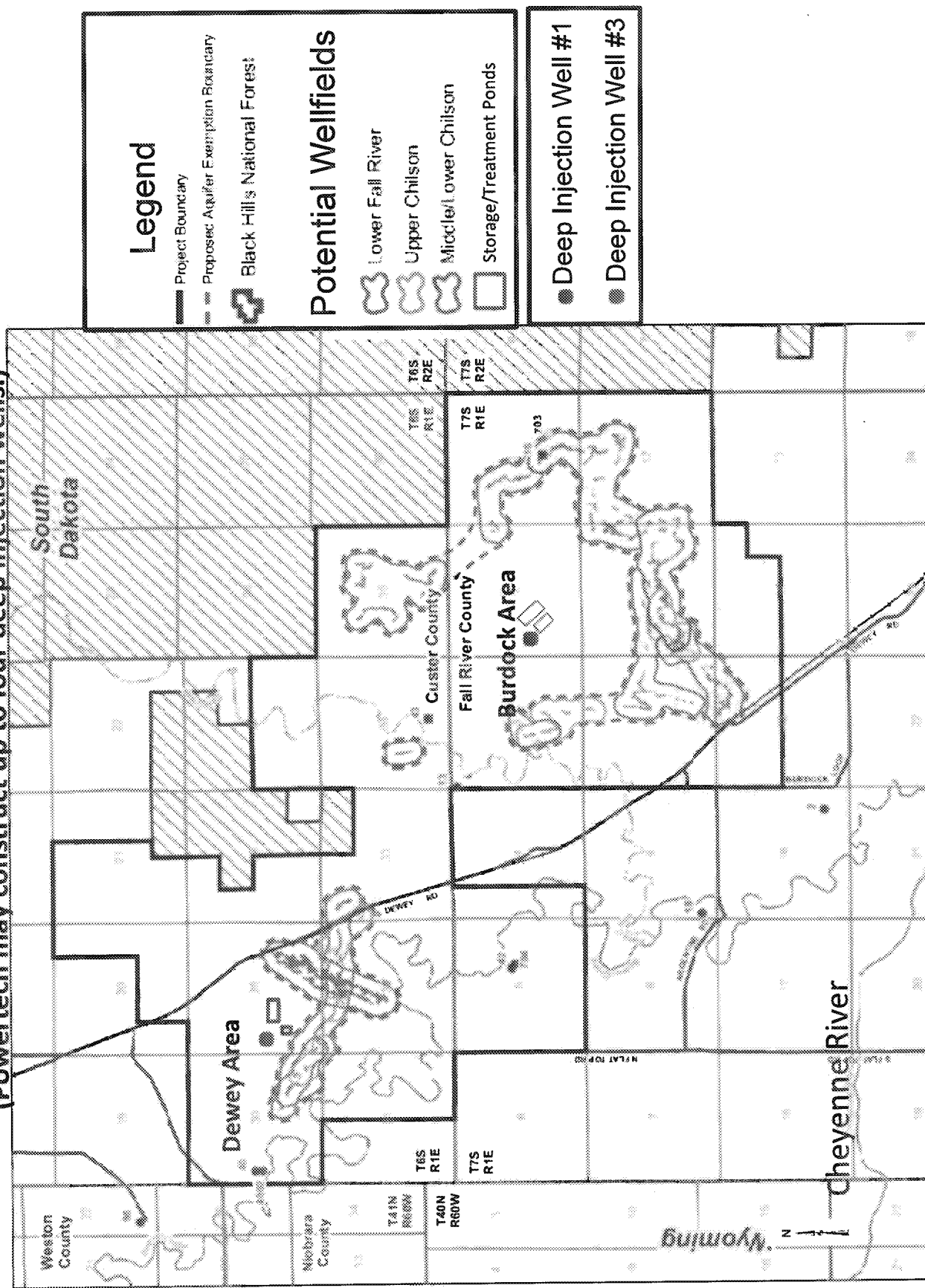


Figure 3. Map showing locations of the proposed wellfields containing Class III injection wells, the aquifer exemption boundary and the UIC permit boundary.

**Figure 4. Map showing locations for the two currently proposed deep injection wells.
(Powertech may construct up to four deep injection wells.)**



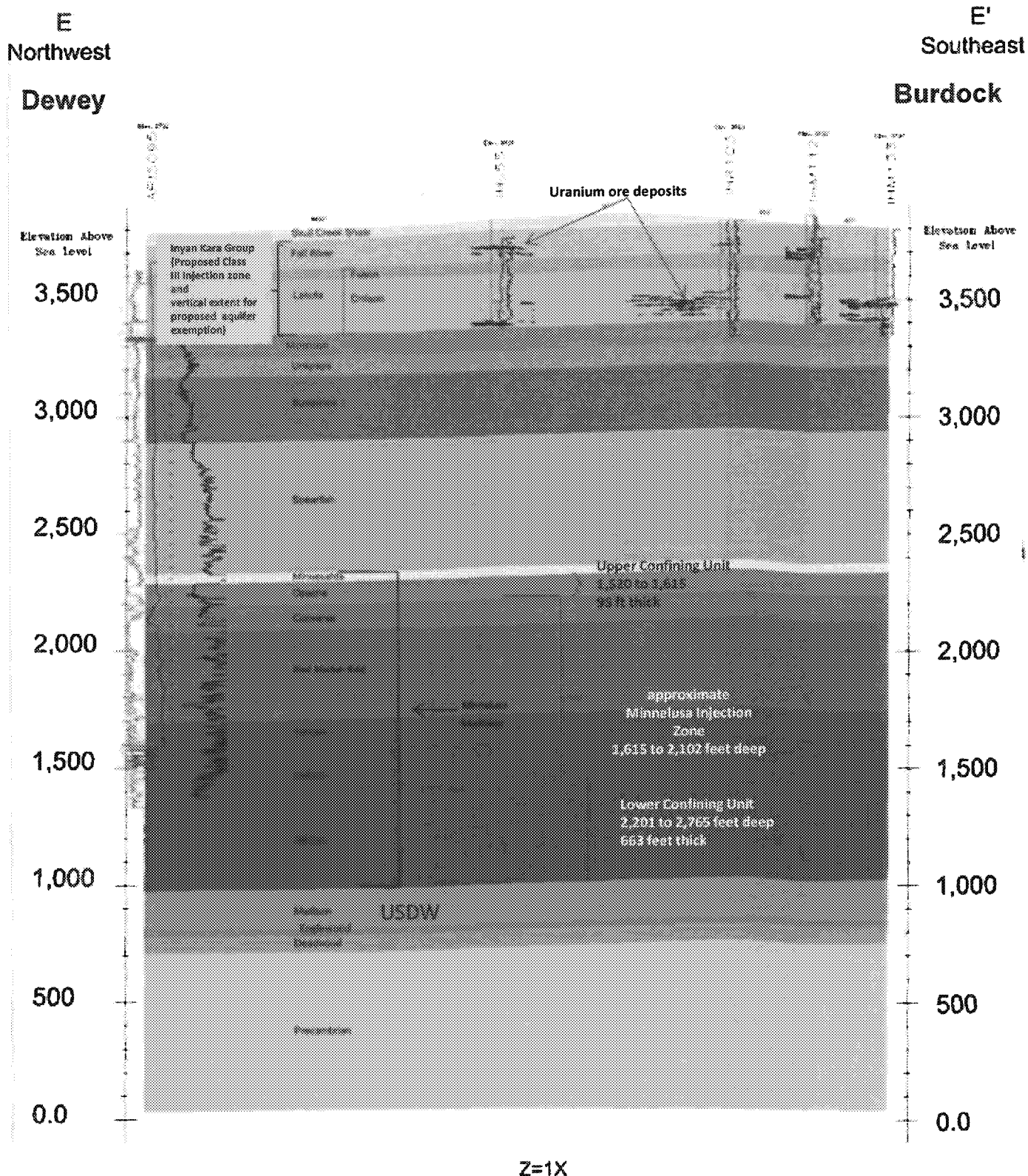


Figure 5. Stratigraphic cross-section of geologic formations present at the Dewey Burdock site and proposed injection zones for the Class III and deep Class V injections wells.

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: proposed agenda for the Oct 16 informational web conference
Date: Friday, October 6, 2017 6:42:00 PM
Attachments: ProposedDraftAgenda Oct16Webconference.docx

Hi Nicole,

Attached is a proposed agenda for our up-coming web conference.

I would like to go over the administrative record, but we would also like to hear from the Cheyenne River Sioux Tribal representatives on the call to help us prepare for the consultation meeting with Chairman Frazier and the EPA decision makers.

Please feel free to share the agenda with those who will be attending the web conference & provide me with edits and suggestions.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

Proposed Draft Agenda
Cheyenne River Sioux Tribe /EPA Information Web Conference
on the
Proposed Dewey-Burdock Uranium In-Situ Recovery Site
2:00 pm Monday, October 16, 2017

Web Conference Link: <http://epawebconferencing.acms.com/r1a32lfpg1n/>

Call-in Information: Conference Call #: (866) 299-9141 Passcode:

Ex. 6 Personal Privacy (PP)

- I. Introductions by those present at the web conference.
- II. The EPA's role at the proposed Dewey-Burdock uranium in-situ recovery site.
 - a. The UIC regulatory mission: protection of groundwater through regulation of injection wells.
 - b. General overview of the EPA UIC draft permit requirements.
 - c. The proposed aquifer exemption for uranium-ore bearing portions of Inyan Kara aquifers.
 - d. Additional documents that are part of the administrative record.
- III. Specific concerns from the Cheyenne River Sioux Tribe (would it be helpful to review Chairman Frazier's June 19, 2017 letter to EPA regarding tribal consultation?)
- IV. The EPA's Proposed National Historic Preservation Act Section 106 Process
- V. Next Steps for Cheyenne River Sioux Tribe/EPA Consultation

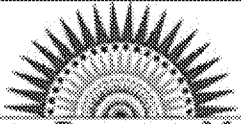
From: Nicole Ducheneaux
To: Robinson, Valois
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Date: Friday, August 4, 2017 12:26:14 PM

Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Friday, August 4, 2017 1:21 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Wednesday, July 19, 2017 9:47 AM
To: Shea, Valois <Shea.Valois@epa.gov>


Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

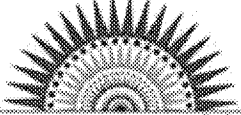
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

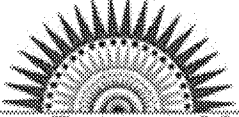
The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Nicole Ducheneaux
To: Robinson, Valois
Cc: Sarah Whitford
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Date: Thursday, August 17, 2017 9:32:43 AM

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 4, 2017 1:28 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

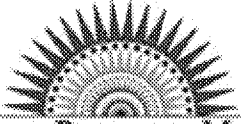
Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Friday, August 04, 2017 12:25 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I

think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,
Nikki

 FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW	Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163 rd Plz. Omaha, NE 68116
---	--

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM


To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

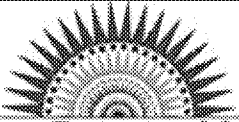
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Cc: "Sarah Whitford"
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Date: Thursday, August 17, 2017 9:56:00 AM

Thanks for the letting me know!

Valois

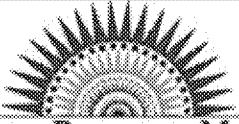
Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Thursday, August 17, 2017 9:31 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Friday, August 4, 2017 1:28 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

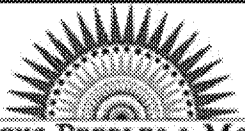
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea

U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

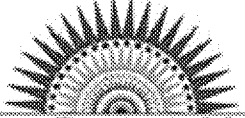
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Monday, August 21, 2017 8:38:00 AM

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

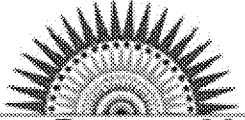
Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Thursday, August 17, 2017 9:31 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 4, 2017 1:28 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

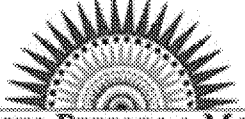
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

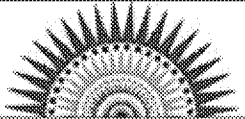
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

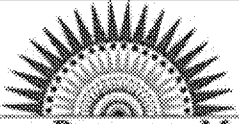
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

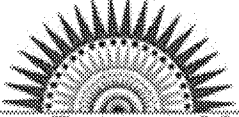
The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: [Nicole Ducheneaux](#)
To: [Robinson, Valois](#)
Cc: [Sarah Whitford](#)
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Wednesday, August 23, 2017 9:36:08 AM

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

 FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW	Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163 rd Plz. Omaha, NE 68116
---	--

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, August 21, 2017 9:39 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

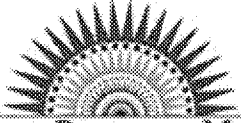
From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Thursday, August 17, 2017 9:31 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki



Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com

3610 N. 163rd Plz.

Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea

U.S. EPA Region 8

MailCode: 8WP-SUI

1595 Wynkoop Street

Denver, CO 80202-1129

Phone: (303) 312-6276

Fax: (303) 312-6741

Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com



www.ndnlaw.com

3610 N. 163rd Plz.

Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

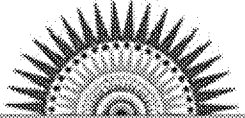
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Cc: "Sarah Whitford"
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Monday, September 11, 2017 3:11:00 PM

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>


Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again

for your patience.

Best regards,

 FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW	Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163 rd Plz. Omaha, NE 68116
---	--

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761



nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

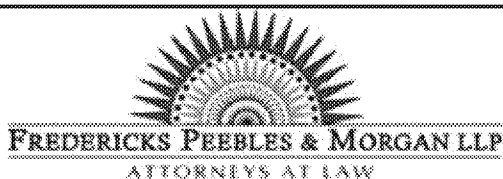
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki



Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

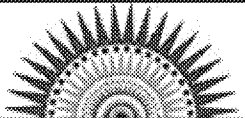
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at

nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

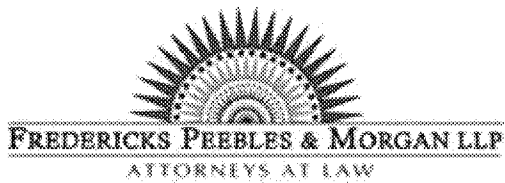
Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com



3610 N. 163rd Plz.
Omaha, NE 68116

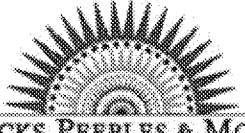
The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: [Nicole Ducheneaux](#)
To: [Robinson, Valois](#)
Cc: [Sarah Whitford](#)
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Tuesday, September 12, 2017 8:35:59 AM

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]

Sent: Monday, September 11, 2017 4:12 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if

possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

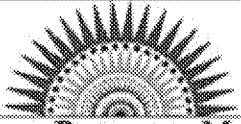
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Thanks!

Ex. 6 Personal Privacy (PP)

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM


To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

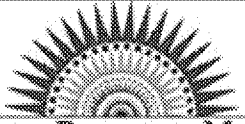
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

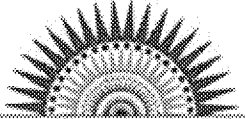
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Tuesday, September 12, 2017 9:29:00 AM

Sounds good!

Thanks!

Valois

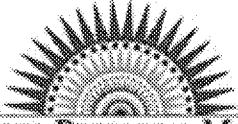
Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Tuesday, September 12, 2017 8:35 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, September 11, 2017 4:12 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com



www.ndnlaw.com

3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Thanks!

Ex. 6 Personal Privacy (PP)

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

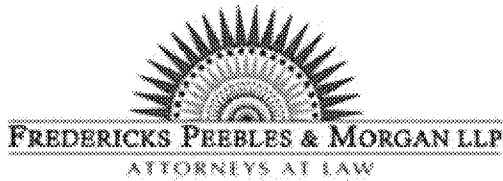
Thank you again,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com



3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

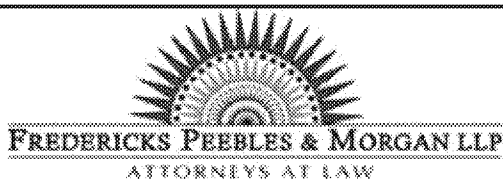
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki



Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

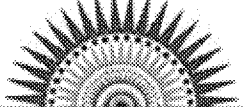
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at

nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

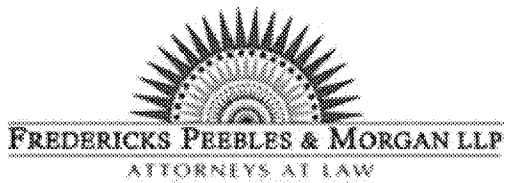
Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com



3610 N. 163rd Plz.
Omaha, NE 68116

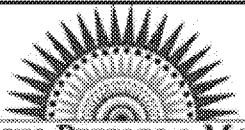
The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Nicole Ducheneaux
To: Robinson, Valois
Cc: Sarah Whitford
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Wednesday, September 20, 2017 9:01:15 AM

Hi Valois,

The week of October 16 will work for the informational session. Please let me know what date works for you. Chairman Frazier will be at the National Congress of American Indians conference in Milwaukee, but the director of CRST's EPA and his team will be available anytime that week. We can talk about timelines too. If you make a proposal for dates for future consultation, then I will work with the Tribe to pin it down. With enough advance notice, barring things like national conferences, tribal officials can be available pretty much anytime.

Thanks so much,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Tuesday, September 12, 2017 10:30 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Sounds good!

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Tuesday, September 12, 2017 8:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

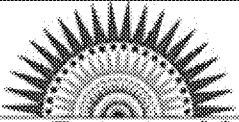
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, September 11, 2017 4:12 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings

would be needed to discuss the topics the Tribe has identified in the June 19 letters.
Please give me a call if it would be helpful to discuss these items in person.
Thanks!

Valois

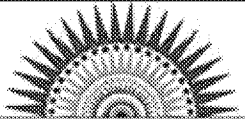
Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Wednesday, August 23, 2017 9:35 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date
sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again
for your patience.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, August 21, 2017 9:39 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

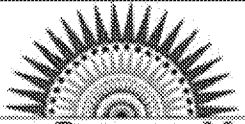
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

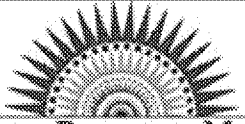
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois
To: "Nicole Ducheneaux"
Cc: "Sarah Whitford"
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Monday, September 25, 2017 5:05:00 PM

Hi Nicole,

Let's start with Monday, October 16 at 2:00 to see if that works for everyone who will be attending. That's great that David Nelson and some of his staff will attend. Would it also be possible to include the Tribal Historic Preservation Officer? Is Steve Vance still in that position? He was instrumental in educating me about the concerns of the Sioux Tribes back at the beginning of this process. It would be great to have his input, if that is possible.

I appreciate the heads-up about awareness of national conferences. I will keep that in mind when proposing future consultation sessions. Maybe we could talk about how I can make sure I keep up with those events.

I appreciate your help with scheduling!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]
Sent: Wednesday, September 20, 2017 9:00 AM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

The week of October 16 will work for the informational session. Please let me know what date works for you. Chairman Frazier will be at the National Congress of American Indians conference in Milwaukee, but the director of CRST's EPA and his team will be available anytime that week. We can talk about timelines too. If you make a proposal for dates for future consultation, then I will work with the Tribe to pin it down. With enough advance notice, barring things like national conferences, tribal officials can be available pretty much anytime.

Thanks so much,



Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, September 12, 2017 10:30 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Sounds good!

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Tuesday, September 12, 2017 8:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

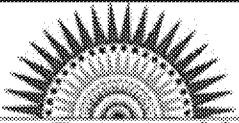
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an

acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, September 11, 2017 4:12 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

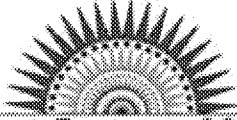
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

 FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW	Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163 rd Plz. Omaha, NE 68116
---	--

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,



Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com

3610 N. 163rd Plz.

Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea

U.S. EPA Region 8

MailCode: 8WP-SUI

1595 Wynkoop Street

Denver, CO 80202-1129

Phone: (303) 312-6276

Fax: (303) 312-6741

Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

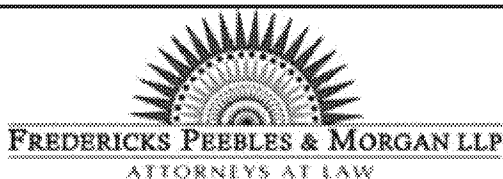
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki



Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com

3610 N. 163rd Plz.

Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

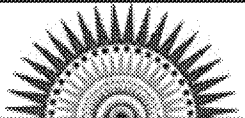
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at

nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

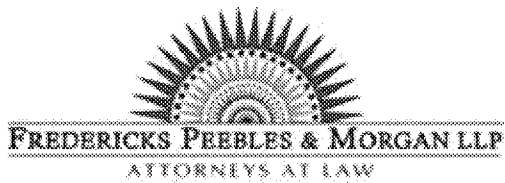
Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com

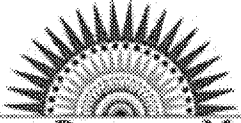


3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: [Nicole Ducheneaux](#)
To: [Robinson, Valois](#)
Cc: [Sarah Whitford](#); [dnelson@crstepd.org](#)
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number
Date: Monday, October 2, 2017 1:27:26 PM

Thank you, Valois. This should be perfect. We will hope to have Steve Vance in attendance.

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, September 25, 2017 6:06 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

Let's start with Monday, October 16 at 2:00 to see if that works for everyone who will be attending. That's great that David Nelson and some of his staff will attend. Would it also be possible to include the Tribal Historic Preservation Officer? Is Steve Vance still in that position? He was instrumental in educating me about the concerns of the Sioux Tribes back at the beginning of this process. It would be great to have his input, if that is possible.

I appreciate the heads-up about awareness of national conferences. I will keep that in mind when proposing future consultation sessions. Maybe we could talk about how I can make sure I keep up with those events.

I appreciate your help with scheduling!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]

Sent: Wednesday, September 20, 2017 9:00 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

The week of October 16 will work for the informational session. Please let me know what date works for you. Chairman Frazier will be at the National Congress of American Indians conference in Milwaukee, but the director of CRST's EPA and his team will be available anytime that week. We can talk about timelines too. If you make a proposal for dates for future consultation, then I will work with the Tribe to pin it down. With enough advance notice, barring things like national conferences, tribal officials can be available pretty much anytime.

Thanks so much,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
---	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]

Sent: Tuesday, September 12, 2017 10:30 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Sounds good!

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [mailto:NDucheneaux@ndnlaw.com]

Sent: Tuesday, September 12, 2017 8:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, September 11, 2017 4:12 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if

possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

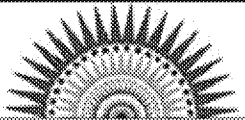
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Thanks!

Ex. 6 Personal Privacy (PP)

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

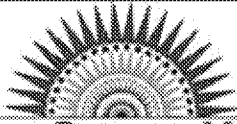
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

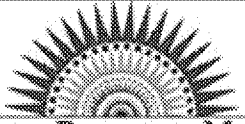
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

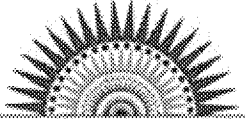
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

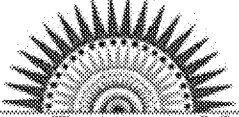
The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Nicole Ducheneaux
To: Robinson, Valois
Cc: NE Filing
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Date: Wednesday, July 19, 2017 9:48:16 AM

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Tuesday, July 18, 2017 8:00 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street

Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

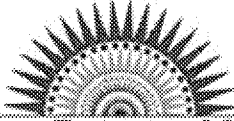
Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

Best regards,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: [Shea, Valois](#)
To: [Nicole Ducheneaux](#)
Cc: [Sarah Whitford](#); dnelson@crstepd.org
Subject: RE: Cheyenne River Sioux Tribe - Dewey-Burdock web conference Monday, October 16 2:00 pm mountain time
Date: Tuesday, October 3, 2017 9:56:00 AM

That sounds great! Thanks!

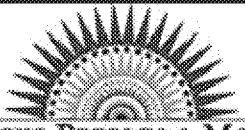
I will send a web conference link and conference call number by the end of this week. I will also send a draft agenda for everyone's input so we make sure we cover the topics of interest to the Tribe.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]
Sent: Monday, October 02, 2017 1:26 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>; dnelson@crstepd.org
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Thank you, Valois. This should be perfect. We will hope to have Steve Vance in attendance.

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, September 25, 2017 6:06 PM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Cc: Sarah Whitford <SWhitford@ndnlaw.com>
Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

Let's start with Monday, October 16 at 2:00 to see if that works for everyone who will be attending. That's great that David Nelson and some of his staff will attend. Would it also be possible to include the Tribal Historic Preservation Officer? Is Steve Vance still in that position? He was instrumental in educating me about the concerns of the Sioux Tribes back at the beginning of this process. It would be great to have his input, if that is possible.

I appreciate the heads-up about awareness of national conferences. I will keep that in mind when proposing future consultation sessions. Maybe we could talk about how I can make sure I keep up with those events.

I appreciate your help with scheduling!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, September 20, 2017 9:00 AM

To: Shea, Valois <Shea.Valois@epa.gov>

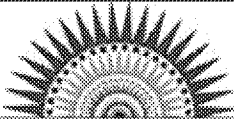
Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Valois,

The week of October 16 will work for the informational session. Please let me know what date works for you. Chairman Frazier will be at the National Congress of American Indians conference in Milwaukee, but the director of CRST's EPA and his team will be available anytime that week. We can talk about timelines too. If you make a proposal for dates for future consultation, then I will work with the Tribe to pin it down. With enough advance notice, barring things like national conferences, tribal officials can be available pretty much anytime.

Thanks so much,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment(s)) is intended solely for its authorized recipient(s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, September 12, 2017 10:30 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Sounds good!

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Tuesday, September 12, 2017 8:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>


Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
- phone number

Hi Valois,

Thank you so much for your response. I will discuss with the Chairman and get back to you as soon as possible, but no later than next Monday.

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, September 11, 2017 4:12 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

- phone number

Hi Nicole,

I apologize for taking so long to get back to you. Between figuring out my travel schedule for work and family issues, it has taken me a while to figure out what my schedule is!

How about we start with the week of Oct 16 and narrow it down to a day and time from there, depending on the schedules on your end?

There are a couple of items it would be helpful to talk through with you:

- 1) I envision the webinar the week of Oct 16 to be an inform and educate session, so my senior management would not necessarily be involved while I am giving the presentation. However, we would like to have the inform and educate effort go both ways, if possible. If Chairman Frazier would like our senior management to join the webinar after my presentation so they could be present for receiving information from the Tribe, I could work on making that happen. We would like to know the preference of Chairman Frazier and the Tribe so we have the right people present on our end.
- 2) If a portion of the inform and educate session is conducted with senior staff from the Tribe and EPA, I was hoping this webinar would be an opportunity to address the Tribe's second bullet under #2 on page 7 of the tribal consultation letter dated June 19: *"Coordinate with the Tribe before consultation begins, especially with development of an agreement on consultation timelines"* The EPA is interested in beginning that coordination effort with this webinar, if possible. With regard to the timeline for consultation, we anticipate that a number of meetings would be needed to discuss the topics the Tribe has identified in the June 19 letters.

Please give me a call if it would be helpful to discuss these items in person.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, August 23, 2017 9:35 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

- phone number

Hi Valois,

Getting multiple schedules nailed down is proving difficult. May I propose that we set a date sometime in early or mid-September and I will make Cheyenne River officials available? Thanks again for your patience.

Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 Fax: 402-333-4761



nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 21, 2017 9:39 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record - phone number

Hi Nicole,

I am working at home today. If you have a chance to call me today, please call me at

Ex. 6 Personal Privacy (PP)

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Thursday, August 17, 2017 9:31 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Sarah Whitford <SWhitford@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Valois,

Thank you so much for your patience. The end of the summer is a busy time for the Tribe. As such, I am still looking for a good time for the informational session. I wanted let you know that I am still working on it. I will be in touch on Monday to give you a more definite answer.

Thank you again,

Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com



3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:28 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Great!

Let's start with the week of Aug 14, then look at the week of Aug 28.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Friday, August 04, 2017 12:25 PM

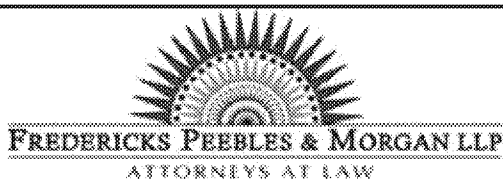
To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Valois,

That is a great idea. Thank you so much for proposing it. There is indeed a lot of information. And I think a web conference would be great start. Can you give me a general time frame so that I can get our tribal representatives prepared and find out their schedules?

Thanks,

Nikki



Nicole Ducheneaux
Phone: 402.763-2717 | Fax: 402-333-4761
nducheneaux@ndnlaw.com
www.ndnlaw.com
3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Friday, August 4, 2017 1:21 PM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record
Hi Nicole,

There is a lot of info related the Dewey-Burdock permitting actions on our website. Would it be helpful to begin with an informational meeting, like a web conference, so we can provide overviews of the documents to set the context for consultation meetings?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Wednesday, July 19, 2017 9:47 AM

To: Shea, Valois <Shea.Valois@epa.gov>

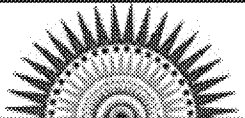
Cc: NE Filing <nefiling@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Dear Ms. Shea,

Thanks so much. We will review and make sure that we have all of these documents in our records. Our review should be complete by next week. Are you available next week to discuss logistics of consultation going forward?

Thanks again,

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at

nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Tuesday, July 18, 2017 8:00 AM

To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>

Subject: RE: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine - EPA administrative record

Hello,

The administrative record for the EPA proposed actions at the Dewey-Burdock site is found at this website:

<https://www.epa.gov/uic/extension-public-comment-period-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-0>.

If you scroll about halfway down the page, you can see the documents containing all the information the EPA considered in making the proposed decisions. There are also documents that discuss where we are in processes such as tribal consultation, the environmental justice analysis and the cumulative effects analysis, where we are requesting input from Tribes and the public.

There is a lot of information there, so please give me a call if you would like to talk through the documents.

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Nicole Ducheneaux [<mailto:NDucheneaux@ndnlaw.com>]

Sent: Monday, July 17, 2017 1:52 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: NE Filing <nefiling@ndnlaw.com>; Sarah Whitford <SWhitford@ndnlaw.com>

Subject: Cheyenne River Sioux Tribe - Dewey Burdock Uranium Mine

Dear Ms. Shea,

I received your voicemail last week. Before we begin discussing scheduling consultation, the Tribe would like to make sure that it has all of the technical reports and other materials that would be relevant to the potential impacts of the proposed project on its treaty rights, reserved water rights, and religious rights. How do you propose that we ensure that we have all of that information? We are equipped to host an electronic file transfer. Please advise. I look forward to discussing with you further.

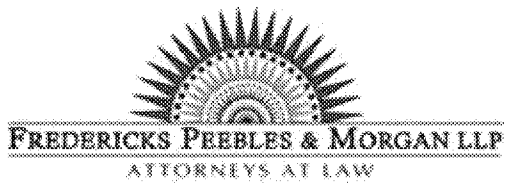
Best regards,

Nicole Ducheneaux

Phone: 402.763-2717 | Fax: 402-333-4761

nducheneaux@ndnlaw.com

www.ndnlaw.com




3610 N. 163rd Plz.
Omaha, NE 68116

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and/or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Nicole Ducheneaux
To: Robinson, Valois
Subject: RE: Dec 1 availability window changed to 1-2 pm
Date: Friday, November 17, 2017 9:47:45 AM

Thank you, Valois. My client has been on travel and very busy otherwise the past couple of weeks. I'm hoping to pin them down shortly. I will be in touch.

Best,
Nikki

 <p>FREDERICKS PEEBLES & MORGAN LLP ATTORNEYS AT LAW</p>	<p>Nicole Ducheneaux Phone: 402.763-2717 Fax: 402-333-4761 nducheneaux@ndnlaw.com www.ndnlaw.com 3610 N. 163rd Plz. Omaha, NE 68116</p>
--	---

The information contained in this e-mail transmission (including any accompanying attachment (s)) is intended solely for its authorized recipient (s) and may be confidential and /or legally privileged. If you are not an intended recipient, or responsible for delivering some or all of this transmission to an intended recipient, you have received this transmission in error and are hereby notified that you are strictly prohibited from reading, copying, printing, distributing, or disclosing any of the information contained in it. In that event, please contact us immediately by telephone at 402.333.4053 or by email at nducheneaux@ndnlaw.com and delete the original and all copies of this transmission including any attachments without reading or saving in any manner. If you are a client of our firm, this confirms that communication to you by e-mail is an acceptable way to transmit attorney-client information. Thank you.

From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Friday, November 17, 2017 10:44 AM
To: Nicole Ducheneaux <NDucheneaux@ndnlaw.com>
Subject: Dec 1 availability window changed to 1-2 pm

Hi Nicole,

Right after I sent the email to you, I found out that Friday, Dec 1 is no longer open all day till 2:00. Now the time slot is from 1:00-2:00pm

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov